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THE
S P E E C H
O F
JOSEPH GALLOWAY, Esq;

ONE OF THE
MEMBERS for PHILADELPHIA COUNTY;

In ANSWER to the
SPEECH of JOHN DICKINSON, Esq;

Delivered in the HOUSE of ASSEMBLY of the
PROVINCE of PENNSYLVANIA, May 24, 1764.

On Occasion of a PETITION drawn up by Order, and
then under the Consideration of the HOUSE, praying
His MAJESTY for a ROYAL, in Lieu of a
PROPRIETARY GOVERNMENT.

WITH A
PREFACE by a MEMBER of the ASSEMBLY.

Audi et alteram Partem.

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WILMINGTON COUNTY, CALIFORNIA

SOME OF THESE DIALOGUES

For a few days, the meeting of the members of the
colonial government was suspended, and the
colonial legislature was adjourned.

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ANNUAL ASSEMBLY OF SOCIETY

A. L. BROWN

1. *Introduction*

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and expert hand, and that could have supplied
any want of time before such a speech could
be delivered, but I have

TO THE

READER.

THE Author of the following Speech was so well known in *Pennsylvania* and the adjacent Provinces, that it was thought unnecessary in the *Philadelphia* Edition to prefix any Account of him; but as perhaps many Readers in *England* may be unacquainted with his Merit, it may be proper to give them some little Information in this Point, which I shall do in a few Words, by way of Panegyric.

He early discovered a generous Concern for his Country, an intimate Acquaintance with its Laws and Constitution, and a strong Disposition to oppose the Enemies of Liberty. With these favourable Prognosticks he set out in Life, and has had frequent Opportunities of exerting his Abilities in the most conspicuous Manner. About eight or ten Years ago, when bold Attempts were made to abridge (not to say destroy) the Liberties of *Pennsylvania*, this Gentleman, then about five-and-twenty Years of Age, and of independent Fortune, was chosen one of the Representatives for the County of *Philadelphia*, which Station he has deservedly filled.

filled ever since that Time; and from his Youth upwards has acted with so much Consistency, and promoted the Welfare of his Country in so uniform a Manner, sparing no Pains or Industry to defeat the wicked Purposes of wicked Men, that even those who would misrepresent his generous Designs for the publick Good, cannot but approve the Steadiness and Intrepidity with which he has pursued them. It was solely with a View to the Interest and Happiness of his Constituents that he warmly prosecuted the Measure which is the Subject of this Speech. It is true, it is a violent one, and how far it may be proper is not for me to determine; but it is to be considered that violent Diseases require violent Remedies; and as the Assembly have found by woeful Experience that Justice is not sufficient to give a Sanction to their Demands, they have been forced upon this Expedient, the dernier Ressort and only Resource now left them.

P R E F A C E.

T is not merely because Mr. *Dickinson's* Speech was ushered into the World by a Prefacē, that one is made to this of Mr. *Galloway*. But as in that Preface a Number of Aspersions were thrown on our Assemblies, and their Proceedings grossly misrepresented; it was thought necessary to wipe those Aspersions off by some proper Animadversions; and by a true State of Facts, to rectify those Misrepresentations.

The Preface begins with saying, that “ Govⁿor *Denny*, whose Administration will never be mentioned but with Disgrace in the Annals of this Province, was induced by *Considerations* to which the World is now no Stranger, to pass sundry Acts,” &c. thus insinuating, that by some unusual base Bargain secretly made, but afterwards discovered, he was induced to pass them.—It is fit, therefore, without undertaking to justify all that Governor's Administration, to shew what those Considerations were.—Ever since the Revenue of the Quit-rents first, and after that the Revenue of Tavern Licences, were settled irrevocably on our Proprietors and Governors, they have looked on those Incomes as their proper

Estate, for which they were under no Obligations to the People: And when they afterwards concurred in passing any useful Laws, they considered them as so many Jobbs, for which they ought to be particularly paid. Hence arose the Custom of Presents twice a Year to the Governors, at the Close of each Session in which Laws were passed, given at the Time of passing. They usually amounted to a thousand Pounds *per Annum*. But when the Governors and Assemblies disagreed, so that Laws were not passed, the Presents were withheld.—When a Disposition to agree ensued, there sometimes still remained some Diffidence. The Governors would not pass the Laws that were wanted, without being sure of the Money, even all that they called their Arrears; nor the Assemblies give the Money without being sure of the Laws.—Thence the Necessity of some private Conference, in which mutual Assurances of good Faith might be received and given, that the Transactions should go hand in hand. What Name the impartial Reader will give to this kind of Commerce, I cannot say: To me it appears an Extortion of more Money from the People, for that to which they had before an undoubted Right, both by the Constitution and by Purchase; but there was no other Shop they could go to for the Commodity they wanted, and they were obliged to comply.—Time established the Custom, and made it seem honest; so that our Governors, even those of the most undoubted Honour, have practised it.—Governor *Thomas*, after a long Misunderstanding with the Assembly, went more openly to work with them in managing this Commerce, and they with him. The Fact is curious, as it stands recorded in the Votes of 1742-3. Sundry Bills sent up to the Governor for his Assent had lain long in his Hands, without any Answer.—

Jan.

Jan. 4. the House "Ordered, That *Thomas Leech*
 " and *Edward Warner* wait upon the Governor,
 " and acquaint him, that the House had long
 " waited for his Result on the Bills that lie before
 " him, and desire to know when they may expect
 " it"—The Gentlemen return, and report, "That
 " they waited upon the Governor, and delivered
 " the Message of the House according to Order,
 " and that the Governor was pleased to say, He
 " had had the Bills long under Consideration, and
 " waited the Result of the House."—The House
 well understood this Hint; and immediately re-
 solved into a Committee of the whole House, to
 take what was called *the Governor's Support* into
 Consideration, in which they made the Minutes
 say, *some Progress*; and the next Morning it ap-
 pears, that that *Progress*, whatever it was, had
 been communicated to him; for he sent them
 down this Message by his Secretary:—"Mr.
 " Speaker, The Governor commands me to ac-
 " quaint you, that as he has received Assurances
 " of a good *Disposition* in the House, he thinks it
 " incumbent on him to shew *the like* on his Part;
 " and therefore sends down the Bills which lay
 " before him, without any Amendment."—As
 this Message only *shewed a good Disposition*, but
 contained no Promise to pass the Bills, the House
 seem to have had their Doubts; and therefore,
 February 2, when they came to resolve, on the
 Report of the Grand Committee, to give the Mo-
 ney, they guarded their Resolves very cautiously,
 viz. "Resolved, That on the *Passage* of such Bills
 " as now lie before the Governor, the Naturaliza-
 " tion Bill, and such other Bills as may be pre-
 " sented to him during this Sitting, there be PAID
 " him the Sum of *Five hundred Pounds*. — Re-
 " solved also, That on the *Passage* of such Bills
 " as now lie before the Governor, the Naturaliza-

“*tion Bill, and such other Bills as may be presented to him this Sitting, there be PAID to the Governor the further Sum of One thousand Pounds, for the current Year's Support; and that Orders be drawn on the Treasurer and Trustees of the Loan Office, pursuant to these Resolves.*” — The Orders were accordingly drawn, with which being acquainted, he appointed a Time to pass the Bills, which was done with one Hand, while he received the Orders in the other; and then with the utmost Politeness thanked the House for the Fifteen hundred Pounds, as if it had been a *pure free Gift*, and a mere Mark of their Respect and Affection. “*I thank you, Gentlemen (says he) for this Instance of your Regard; which I am the more pleased with, as it gives an agreeable Prospect of future Harmony between me and the Representatives of the People.*” — This Reader, is an exact Counterpart of the Transaction with Governor *Denny*; except that *Denny* sent Word to the House, that he would pass the Bills before they voted the *Support*. — And yet here was no Proprietary Clamour about Bribery, &c. And why so? Why at that Time the Proprietary Family, by virtue of a secret Bond they had obtained of the Governor at his Appointment, were to share with him the Sums so obtained of the People!

This Reservation of the Proprietaries they were at that Time a little ashamed of, and therefore such Bonds were then to be Secrets. But as in every kind of Sinning frequent Repetition lessens Shame, and increases Boldness, we find the Proprietaries ten Years afterwards openly infesting on these Advantages to themselves, over and above what was *paid* to their Deputy: “*Wherefore (say they) on this Occasion it is necessary that we should inform the People, through yourselves* *their*

" their Representatives, that as by the Constitution OUR CONSENT IS NECESSARY to their LAWS,
 " at the same time that they have an *undoubted Right* to such as are necessary for the Defence
 and real Service of the Country; so it will
 tend the better to facilitate the several Matters
 which *must* be transacted with us, for their Re-
 presentatives to shew a *Regard* to us and our
 INTEREST." — This was in their Answer to the
 Representation of the Assembly, [Votes, December,
 1754, Page 48.] on the Justice of their contribu-
 ting to *Indian* Expences, which they had re-
 fused. And on this Clause the Committee make
 the following Remark: — " They tell us, their
 Consent is *necessary* to our *Laws*, and that it
 will tend the better to facilitate the Matters
 which *must* be transacted with them, for the
 Representatives to shew a *Regard* to their IN-
 TEREST: That is, as we understand it, though
 the Proprietaries have a Deputy here, supported
 by the Province, who is, or ought to be, fully
 empowered to pass all Laws *necessary* for the Ser-
 vice of the Country; yet, before we can obtain
 such Laws, we must facilitate their *Passage* by
 paying Money for the Proprietaries which they
 ought to pay, or in some Shape make it their
particular INTEREST to pass them. We hope,
 however, that if this Practice has ever been be-
 gun, it will never be *continued* in this Province;
 and that since, as this very Paragraph allows,
 we have an *undoubted Right* to such Laws, we
 shall always be able to obtain them from the
 Goodness of our Sovereign, without going to
 Market for them to a Subject." Time has
 shewn that those Hopes were vain; they have been
 obliged to go to that Market ever since, directly
 or indirectly, or go without their Laws. The
 Practice has continued, and will continue, as long

as the Proprietary Government subsists, intervening between the Crown and the People.

Do not, my courteous Reader, take pet at our Proprietary Constitution, for these our bargain and sale Proceedings in Legislation.—'Tis a happy Country where Justice, and what was your own before, can be had for ready Money. 'Tis another Addition to the Value of Money, and of course another Spur to Industry.—Every Land is not so blessed. There are Countries where the princely Proprietor claims to be Lord of all Property, where what is your own shall not only be wrested from you, but the Money you give to have it restored shall be kept with it; and your offering so much, being a Sign of your being too rich, you shall be plundered of every thing that remained. These Times are not come here yet: Your present Proprietors have never been more unreasonable hitherto than barely to insist on your fighting in Defence of their Property, and paying the Expence yourselves; or if their Estates must [ah! *must*] be taxed towards it, that the *best* of their Lands shall be taxed no higher than the *worst* of yours.

Pardon this Digression, and I return to Governor *Denny*; but first let me do Governor *Hamilton* the Justice to observe, that whether from the Uprightness of his own Disposition, or from the odious Light the Practice had been set in-on *Denny's* Account, or from both, he did not attempt these Bargains, but passed such Laws as he thought fit to pass, without any previous Stipulation of *Pay* for them. But then, when he saw th' Assembly tardy in the Payment he expected, and yet calling upon him still to pass *more Laws*, he openly put them in mind of the Money, as a *Debt* due to him from Custom. “ In the Course “ of

“ of the present Year (says he, in his Message of July 8, 1763.) a great deal of publick Busines hath been transacted by me, and I believe as many useful *Laws enacted*, as by any of my Predecessors in the same Space of Time ; yet I have not understood that any *Allowance* hath hitherto been made to me for my Support, as *batch been customary* in this Province.”—The House having then some Bills in hand, took the Matter into immediate Consideration, and voted him Five hundred Pounds ; for which an Order or Certificate was accordingly drawn : And on the same Day the Speaker, after the House had been with the Governor, reported, “ That his Honour had been pleased to give his Assent to the Bills, by *enacting the same into Laws*. And Mr. Speaker farther reported, That he had *then*, in behalf of the House, presented their Certificate of *Five hundred Pounds* to the Governor ; who was pleased to say, He was obliged to the House for the same.”—Thus we see the Practice of purchasing and paying for Laws is interwoven with our Proprietary Constitution, used in the best Times, and under the best Governors. And yet, alas poor Assembly ! how will you steer your brittle Bark between these Rocks ? If you pay ready Money for your Laws, and those Laws are not liked by the Proprietors, you are charged with Bribery and Corruption :—If you wait a while before you pay, you are accused of detaining the Governor’s customary Right, and dunned as a negligent or dishonest Debtor, that refuses to discharge a just Debt !

But Governor *Depny*’s Case, I shall be told, differs from all these ; for the Acts he was induced to pass were, as the Prefacer tells us, “ contrary to his Duty, and to every Tie of Honour and Justice.”

“ Justice.” Such is the Imperfection of our Language, and perhaps of all other Languages, that notwithstanding we are furnished with Dictionaries innumerable, we cannot precisely know the Import of Words, unless we know of what Party the Man is that uses them.—In the Mouth of an Assembly-man, or true Pennsylvanian, *contrary to his Duty, and to every Tie of Honour and Justice*, would mean, the Governor’s long Refusal to pass Laws, however just and necessary, for taxing the Proprietary Estate; a Refusal contrary to the Trust reposed in the Lieutenant-Governor by the royal Charter to the Rights of the People, whose Welfare it was his Duty to promote, and to the Nature of the Contract made between the Governor and the Governed, when the Quit-rents and Licence Fees were established, which confirmed what the Proprietaries call our *undoubted Right* to necessary Laws.—But in the Mouth of the Proprietaries, or their Creatures, *contrary to his Duty, and to every Tie of Justice and Honour*, means his passing Laws contrary to *Proprietary Instructions*, and contrary to the *Bonds* he had previously given to observe those Instructions: — Instructions however that were unjust and unconstitutional, and Bonds that were illegal and void from the Beginning.

1759
Much has been said of the Wickedness of Governor *Denny* in passing, and of the Assembly in prevailing with him to pass, those Acts. By the Prefacer’s Account of them, you would think the Laws so obtained were *all* bad; for he speaks of but seven, of which six he says were repealed, and the seventh reported to be “ *fundamentally wrong* “ *and unjust*, and ought to be repealed, unless six certain Amendments were made there- “ *in*.”

“ in *.” Whereas in fact there were *nineteen* of them, and several of those must have been good Laws, for even the *Proprietaries* did not object to them. Of the eleven that they opposed, only six were repealed; so that it seems these good Gentlemen may themselves be sometimes as *wrong* in opposing, as the Assembly in enacting Laws. But the Words *fundamentally wrong* and *UNJUST* are the great Fund of Triumph to the *Proprietaries* and their Partizans. These their subsequent Governors have unmercifully dinned in the Ears of the Assembly on all Occasions ever since; for they make a Part of near a Dozen of their Messages.—They have rung the Changes on those Words, till they worked them up to say that the Law was *fundamentally wrong and unjust* in *Six* several Articles. [Governor’s Message, *May 17, 1764.*] instead of “ ought to be repealed, unless “ six Alterations or Amendments could be made “ therein.”—A Law unjust in six several Articles, must be an unjust Law indeed; let us therefore, once for all, examine this unjust Law Article by Article, in order to see whether our Assemblies have been such Villains as they have been represented.

The first Particular in which their Lordships proposed the Act should be amended was, “ That “ the real Estates to be taxed be *defined with Pre-
cision*, so as not to include the unsurveyed waste “ Land belonging to the Proprietaries.” This was at most but an *Obscurity* to be cleared up. And though the Law might well appear to their Lordships uncertain in that Particular; with us,

* This Act is intituled, An Act for granting to his Majesty the Sum of One hundred thousand Pounds, striking the same in Bills of Credit, and sinking the Bills by a Tax on all Estates real and personal.

who better know our own Customs, and that the Proprietaries waste unsurveyed Land was never here considered among Estates real, subject to Taxation, there was not the least Doubt or Supposition, that such Lands were included in the Words "all Estates real and personal." The Agents therefore, knowing that the Assembly had no Intention to tax those Lands, might well suppose they would readily agree to remove the Obscurity.

Before we go farther, let it be observed, That the main Design of the Proprietaries in opposing this Act was, to prevent their Estates being taxed at all. But as they know that the Doctrine of *Proprietary Exemption*, which they had endeavoured to enforce here, could not be supported there, they bent their whole Strength against the Act on other Principles to procure its Repeal, pretending great Willingness to submit to an equitable Tax; but that the Assembly, out of mere Malice, because they had conscientiously quitted *Quakerism* for the Church! were wickedly determined to ruin them, to tax all their unsurveyed Wilderness Lands, and at the highest Rates, and by that Means exempt themselves and the People, and throw the whole Burden of the War on the Proprietary Family.— How foreign these Charges were from the Truth, need not be told to any Man in *Pennsylvania*. And as the Proprietors knew that the hundred thousand Pounds of Paper Money, struck for the Defence of their enormous Estates, with others, was actually issued, spread through the Country, and in the Hands of Thousands of poor People, who had given their Labour for it; how base, cruel, and inhuman it was to endeavour, by a Repeal of the Act, to strike the Money dead in those Hands at one Blow,

Blow, and reduce it all to waste Paper, to the utter Confusion of all Trade and Dealings, and the Ruin of Multitudes, merely to avoid paying their own just Tax!—Words may be wanting to express,—but Minds will easily conceive,—and never without Abhorrence!

The second Amendment proposed by their Lordships was, “That the located uncultivated Lands belonging to the Proprietaries shall not be assessed higher than the lowest Rate, at which any located uncultivated Lands belonging to the Inhabitants shall be assessed.”—Had there been any Provision in the Act, that the Proprietaries Lands, and those of the People, of the same Value, should be taxed differently, the one high, and the other low, the Act might well have been called in this Particular *fundamentally wrong and unjust*. But as there is no such Clause, this cannot be one of the Particulars on which the Charge is founded; but, like the first, is merely a Requisition to make the Act clear, by express Directions therein, that the Proprietaries Estate should not be, as they pretended to believe it would be, taxed higher in Proportion to its Value than the Estates of others.—As to their present Claim, founded on that Article, “that the *best and most valuable* of their Lands should be taxed no higher than the *worst and least valuable* of the People’s;” it was not then thought of; they made no such Demand, nor did any one dream that so iniquitous a Claim would ever be made by Men who had the least Pretence to the Characters of *honourable and honest*.

The third Particular was, “That all Lands not granted by the Proprietaries within Boroughs and Towns be deemed located uncultivated.

" Lands, and rated accordingly, and not as Lots." The Clause in the Act that this relates to is, " And whereas many valuable Lots of Ground within the City of Philadelphia, and the several Boroughs and Towns within this Province, remain unimproved; Be it enacted, &c. That all such unimproved Lots of Ground within the City and Boroughs aforesaid shall be rated and assessed according to their Situation and Value, for and towards raising the Money hereby granted." — The Reader will observe, that the Word is *all* unimproved Lots, and that *all* comprehends the Lots belonging to the People, as well as those of the Proprietary. — There were many of the former, and a Number belonging even to Members of the then Assembly; and considering the Value, the Tax must be proportionably as grievous to them, as the Proprietary's to him. — Is there among us a single Man, even a Proprietary Relation, Officer, or Dependant, so insensible of the Differences of Right and Wrong, and so confused in his Notions of Just and Unjust, as to think and say, that the Act in this Particular was fundamentally *wrong* and *unjust*? I believe not one. — What then could their Lordships mean by the proposed Amendment? — Their Meaning is easily explained. The Proprietaries have considerable Tracts of *Land* within the Bounds of Boroughs and Towns, that have not yet been divided into Lots: They pretended to believe, that by virtue of this Clause an imaginary Division would be made of those Lands into Lots, and an extravagant Value set on such imaginary Lots, greatly to their Prejudice. — It was answered, That no such thing was intended by the Act; and that by *Lots* was meant only such Ground as had been surveyed and divided into Lots, — and not the open undivided Lands. — If this only is intended, say their

their Lordships, then let the Act be amended, so as clearly to express what is intended. This is the full Amount of the third Particular.—How the Act was understood here, is well known by the Execution of it before the Dispute came on in *England*, and therefore before their Lordships Opinion on the Point could be given, of which full Proof shall presently be made.—In the mean time it appears, that the Act was not on this Account *fundamentally wrong and unjust*.

The fourth Particular is, “ That the Governor’s Consent and Approbation be made necessary to every Issue and Application of the Money to be raised by virtue of such Act.”—The Assembly intended this, and thought they had done it in the Act. The Words of the Clause being, “ That [the Commissioners named] or the major Part of them, or of the Survivors of them, with the Consent or Approbation of the Governor or Commander in Chief of this Province for the Time being, shall order and appoint the Disposition of the Monies arising by virtue of this Act, for and towards paying and cloathing Two thousand Seven hundred effective Men,” &c.—It was understood here, that as the Power of disposing was expressly to be with the Consent and Approbation of the Governor, the Commissioners had no Power to dispose of the Money without that Approbation: But their Lordships, jealous (as their Station requires) of this Prerogative of the Crown, and being better acquainted with the Force and Weakness of Law Expression, did not think the Clause explicit enough, unless the Words and not otherwise were added, or some other Words equivalent. This Particular therefore was no more than another Requisition of greater Clearness and Precision.

Precision, and by no Means a Foundation for the Charge of *fundamentally wrong and unjust.*

The fifth Particular was, " That Provincial Commissioners be named, to hear and determine Appeals, brought on the Part of the Inhabitants as well as the Proprietaries." — There was already subsisting a Provision for the Appointment of County Commissioners of Appeal, by whom the Act might be, and actually has been, as we shall presently shew, justly and impartially executed with regard to the Proprietaries; but Provincial Commissioners appointed in the Act it was thought might be of Use, in regulating and equalizing the Modes of Assessment of different Counties, where they were unequal; and, by affording a second Appeal, tend more to the Satisfaction both of the Proprietaries and the People. — This Particular was therefore a mere proposed Improvement of the Act, which could not be, and was not, in this Respect, denominated *fundamentally wrong and unjust.*

We have now gone through five of the six proposed Amendments, without discovering any thing on which that Censure could be founded; but the sixth remains, which points at a Part of the Act wherein we must candidly acknowledge there is something, that, in their Lordships View of it, must justify their Judgment: The Words of the sixth Article are, " That the Payments by the Tenants to the Proprietaries of their Rents shall be according to the Terms of their respective Grants, as if such Act had never been passed." — This relates to that Clause of the Act by which the Paper Money was made a legal Tender in " Discharge of all manner of Debts, Rents,

" Sum,

" Sum and Sums of Money whatsoever, &c. at
 " the Rates ascertained in the Act of Parliament
 " made in the sixth of Queen Anne."—From the
 great Injustice frequently done to Creditors, and
 complained of from the Colonies, by the vast De-
 preciation of Paper Bills, it was become a general
 fixed Principle with the Ministry, that such Bills,
 whose Value, though fixed *in* the Act, could not
 be kept fixed *by* the Act, ought not to be made a
 legal Tender in any Colony at those Rates. The
 Parliament had before passed an Act to take that
 Tender away in the four *New-England* Colonies,
 and have since made the Act general. This was
 what their Lordships would therefore have pro-
 posed for the Amendment.—But it being repre-
 sented, That the chief Support of the Credit of the
 Bills was the legal Tender, and that without it
 they would become of no Value, it was allowed
 generally to remain; with an Exception to the
 Proprietaries Rents, where there was a special
 Contract for Payment in another Coin.—It cannot
 be denied but that this was doing Justice to the
 Proprietaries; and that, had the Requisition been
 in favour of all other Creditors also, the Justice
 had been equal, as being general. We do not
 therefore presume to impeach their Lordships
 Judgment, that the Act, as it enforced the Ac-
 ceptance of Bills for Money at a Value which
 they had only nominally, and not really, was in
 that Respect *fundamentally wrong and unjust*.—And
 yet we believe the Reader will not think the As-
 sembly so much to blame, when he considers, that
 the making Paper Bills a legal Tender had been
 the univeral Mode in *America* for more than
 threescore Years. That there was scarce a Colony
 that had not practised that Mode more or less.—
 That it had always been thought absolutely necef-
 sary, in order to give the Bills a Credit, and there-

by

by obtain from them the Uses of Money.—That the Inconveniences were therefore submitted to, for the sake of the greater Conveniencies.—That Acts innumerable of the like Kind had been approved by the Crown.—And that if the Assembly made the Bills a legal Tender at those Rates to the Proprietaries, they made them also a legal Tender to themselves, and all their Constituents, many of whom might suffer in their Rents, &c, as much in Proportion to their Estates as the Proprietaries. But if he cannot on these Considerations quite excuse the Assembly, what will he think of those *honourable* Proprietaries, who, when Paper Money was issued in their Colony, for the common Defence of their vast Estates with those of the People, and who must therefore reap at least equal Advantages from those Bills with the People, could nevertheless *wish* to be exempted from their Share of the unavoidable Disadvantages.—Is there upon Earth a Man besides, with any Conception of what is honest, with any Notion of Honour, with the least Tincture in his Veins of the Gentleman, but would have blushed at the Thought; but would have rejected with Disdain such undue Preference, if it had been offered him?—Much less would he have struggled for it, moved Heaven and Earth to obtain it, resolved to ruin Thousands of his Tenants by a Repeal of the Act, rather than miss of it*; and enforce it afterwards by an audaciously wicked Instruction, forbidding Aids

* This would have been done, and the Money all sunk in the Hands of the People, if the Agents, *Benjamin Franklin* and *Robert Charles*, had not interposed, and voluntarily, without Authority from the Assembly so to do, but at their own Risque, undertaken that those Amendments should be made, or that they themselves would indemnify the Proprietaries from any Damages they might sustain for want thereof. An Action which, as the Prefacer says in another Case, “ Poste-
“ rity perhaps may find a Name for.”

to his King, and exposing the Province to Destruction, unless it was complied with. And yet,—These are HONOURABLE Men *.

Here then we have had a full View of the Assembly's Injustice, about which there has been so much insolent Triumph! But let the Proprietaries and their discreet Deputies hereafter recollect and remember, that the same august Tribunal which censured some of the Modes and Circumstances of that Act, did at the same time establish and confirm the grand Principle of the Act, *viz.* That the Proprietary Estate ought, with other Estates, to be taxed:—And thereby did in Effect determine and pronounce, that the Opposition so long made in various Shapes to that just Principle, by the Proprietaries, was *fundamentally wrong and unjust*.—An Injustice they were not, like the Assembly, under any Necessity of committing for the publick Good; or any other Necessity but what was imposed on them by those base Passions that act the Tyrant in bad Minds, their *Selfishness*, their *Pride*, and their *Avarice*.

I have frequently mentioned the equitable Intentions of the House in those Parts of the Act that were supposed obscure, and how they were understood here. A clear Proof thereof is found, as I have already said, in the actual Execution of the Act; in the Execution of it before the Contest about it in *England*, and therefore before their

* It is not easy to guess from what Source our Proprietaries have drawn their Principles. Those who study Law and Justice as a Science, have established it a Maxim in Equity, *Qui sentit commodum, sentire debet et onus*. And so consistent is this with the common Sense of Mankind, that even our lowest untaught Coblers and Porters feel the Force of it in their own Maxim (which they are honest enough never to dispute) *Touch Pot, touch Penny*.

Lordships Objections to it had a Being.—When the Report came over, and was laid before the House, one Year's Tax had been levied; and the Assembly, conscious that no Injustice had been intended to the Proprietaries, and willing to rectify it if any should appear, appointed a Committee of Members from the several Counties to examine into the State of the Proprietaries Taxes through the Province, and nominated on that Committee a Gentleman of known Attachment to the Proprietaries, and their Chief Justice, Mr. *Allen*, to the end that the strictest Enquiry might be made — Their Report was as follows :—

“ We the Committee appointed to enquire into, “ and consider the State of the Proprietary Taxation through the several Counties, and report “ the same to the House, have, in pursuance of “ the said Appointment, carefully examined the “ Returns of Property, and compared them with “ the respective Assessments thereon made through “ the whole Province ;—and find,

“ First, That no Part of the unsurveyed waste “ Lands belonging to the Proprietaries have, in “ any Instance, been included in the Estates “ taxed.

“ Secondly, That some of the located uncultivated Lands belonging to the Proprietaries in “ several Counties remain unassessed, and are not “ in any County assessed higher than the Lands “ under like Circumstances belonging to the In- “ habitants.

“ Thirdly, That all Lands, not granted by the “ Proprietaries, within Boroughs and Towns, re- “ main untaxed, excepting in a few Instances, “ and

“ and in those they are rated as low as the Lands
 “ which are granted in the said Boroughs and
 “ Towns.

“ The whole of the Proprietary l. s. d.
 “ Tax of Eighteen Pence in the 566 4 10
 “ Pound, amounts to - - - - -

“ And the Sum of the Tax on l. s. d.
 “ the Inhabitants for the same 27,103 12 8
 “ Year amounts, through the se-
 “ veral Counties, to - - - - -

“ And it is the Opinion of your Committee
 “ that there has not been *any Injustice* done to the
 “ Proprietaries, or *Attempts made* to rate or assess
 “ *any Part* of their Estates *higher* than the Estates
 “ of the like Kind belonging to the Inhabitants
 “ are rated and assessed;—but on the contrary,
 “ we find that their Estates are rated, in *many In-*
 “ *stances, below* others.

“ <i>Thomas Leech,</i>	<i>George Ashbridge,</i>
“ <i>Joseph Fox,</i>	<i>Emanuel Carpenter,</i>
“ <i>Samuel Rhoads,</i>	<i>John Blackburn,</i>
“ <i>Abraham Chapman,</i>	<i>William Allen.</i> ”

The House communicated this Report to Governor *Hamilton*, when he afterwards pressed them to make the stipulated Act of Amendment; acquainting him at the same time, that as in the Execution of the Act no Injustice had hitherto been done to the Proprietary, so, by a yearly Inspection of the Assessments, they would take care that none should be done him; for that if any should appear, or the Governor could at any Time point out to them any that had been done, they would immediately rectify it; and therefore, as the Act

was shortly to expire, they did not think the Amendments necessary.—Thus that Matter ended during that Administration.—And had his Successor, Governor PENN, permitted it still to sleep, we are of Opinion it had been more to the Honour of the Family, and of his own Discretion.—But he was pleased to found upon it a Claim manifestly unjust, and which he was totally destitute of Reason to support. A Claim, that the Proprietaries *best* and *most valuable* located uncultivated Lands should be taxed *no bigger than the worst and least valuable* of those belonging to the Inhabitants. To enforce which, as he thought the Words of one of the Stipulations seemed to give some Countenance to it, he insisted on using those very Words as sacred, from which he could “neither in *Decency or in Duty*,” deviate, though he had agreed to deviate from Words of the same Report, and therefore equally sacred in every other Instance. A Conduct which will, as the Prefacer says in Governor *Denny’s* Case, for ever disgrace the Annals of his Administration*.

Never did any Administration open with a more *promising* Prospect. He assured the People, in his first Speeches, of the Proprietaries paternal Regard for them, and their sincere Dispositions to do every thing that might promote their Happiness. As the Proprietaries had been pleased to appoint a Son of the Family to the Government, it was thought not unlikely that there might be something in these Professions; for that they would probably choose to have his Administration made easy and agreeable, and to that end might think it prudent to withdraw those harsh, disagreeable,

* For a fuller Account of this Dispute the Reader is referred to the News-Papers, and Votes of Assembly.

and

and unjust Instructions with which most of his Predecessors had been hampered: The Assembly therefore believed fully, and rejoiced sincerely.—They shewed the new Governor every Mark of Respect and Regard that was in their Power. They readily and chearfully went into every thing he recommended to them. And when he and his Authority were insulted and endangered by a lawless murdering Mob, they and their Friends took Arms at his Call, and formed themselves round him for his Defence, and the Support of his Government.—But when it was found that those mischievous Instructions still subsisted, and were even farther extended; when the Governor began, unprovoked, to send the House affronting Messages, seizing every imaginary Occasion of reflecting on their Conduct; when every other Symptom appeared of fixt deep-rooted Family Malice, which could but a little while bear the unnatural Covering that had been thrown over it, what Wonder is it if all the old Wounds broke out and bled afresh; if all the old Grievances, still unredressed, were recollect'd; if Despair succeeded of any Peace with a Family, that could make *such Returns* to all their Overtures of Kindness!—And when in the very Proprietary Council, composed of stanch Friends of the Family, and chosen for their Attachment to it, it was observed, that the *old Men* (1 Kings, Chap. xii.) withdrew themselves, finding their Opinion slighted, and that all Measures were taken by the Advice of two or three *young Men* (one of whom too denies his Share in them) is it any Wonder, since like Causes produce like Effects, if the Assembly, notwithstanding all their Veneration for the first Proprietor, should say, with the Children of *Israel* under the same Circumstances, *What Portion have we in DAVID, or Inheritance in the Son of JESSE? To your Tents, O Israel!* Under

Under these Circumstances, and a Conviction that while so many natural Sources of Difference subsisted between Proprietaries and People, no Harmony in Government could long subsist, without which neither the Commands of the Crown could be executed, nor the publick Good promoted, the House resumed the Consideration of a Measure that had often been proposed in former Assemblies; a Measure that every Proprietary Province in America had, from the same Causes, found themselves obliged to take, and had actually taken or were about to take; and a Measure that had happily succeeded, wherever it was taken; I mean the Recourse to an immediate Royal Government.

They therefore, after a thorough Debate, and making no less than twenty-five unanimous Resolves, expressing the many Grievances this Province had long laboured under, through the Proprietary Government, came to the following Resolution, *viz.*

“ Resolved, *Nemine contradicente,*

“ That this House will adjourn, in order to consult their Constituents whether an humble Address should be drawn up and transmitted to his Majesty, praying that he would be graciously pleased to take the People of this Province under his immediate Protection and Government, by completing the Agreement heretofore made with the first Proprietary for the Sale of the Government to the Crown, or otherwise as to his Wisdom and Goodness shall seem meet*.”

This

* These Words, “ by completing the Agreement,” &c. are omitted by the honest Prefacer, in his Account of the Resolve, that they might not interfere with his Invention of the Measure’s

This they ordered to be made publick, and it was published accordingly in all the News-Papers; the House then adjourned for no less than seven Weeks, to give their Constituents Time to consider the Matter, and themselves an Opportunity of taking their Opinion and Advice. Could any thing be more deliberate, more fair and open, or more respectful to the People that chose them?— During this Receſſ, the People in many Places held little Meetings with each other, the Result of which was, that they would manifest their Sentiments to their Representatives, by petitioning the Crown directly of themselves, and requesting the Assembly to transmit and support those Petitions.— At the next Meeting many of these Petitions were delivered to the House with that Request; they were signed by a very great * Number of the most substantial

Measure's being impracticable, " Have the Proprietors, by " any Act of theirs, forfeited the least Tittle of what was " granted them by his Majesty's Royal Ancestors? Or can " they be *deprived* of their Charter Rights without their Con- " sent?" &c. Sensible that these Questions are impertinent, if those Rights are already fold.

* The Prefacer, with great Art, endeavours to represent this Number as insignificant.—He says the Petitioners were but 3500, and that the Province contains near THREE HUNDRED THOUSAND SOULS! His Reader is to imagine that TWO HUNDRED AND NINETY-SIX THOUSAND FIVE HUNDRED of them were applied to, and refused to sign it.—The Truth is, that his Number of Souls is vastly exaggerated. The Dwelling-houses in the Province in 1752 did not exceed 20,000. Political Arithmeticians reckon generally but 5 Souls to a House, one House with another: and therefore, allowing for Houses since built, there are not probably more than an Hundred and ten thousand Souls in the Province: That of these scarce Twenty-two thousand could with any Propriety be Petitioners.—And considering the scattered Settlement of the Province, the general Inattention of Mankind, especially in new Countries, to publick Affairs, and the indefatigable Pains taken by the Proprietors new Allies the *Presbyterian* Clergy of Philadelphia, who

substantial Inhabitants, and not the least Intimation was received by the Assembly from any other of their Constituents that the Method was disapproved, except in a Petition from an obscure Township in *Lancaster* County, to which there were about forty Names indeed, but all evidently signed by three Hands only.—What could the Assembly infer from the expressed Willingness of a Part, and Silence of the rest, but that the Measure was universally agreeable? They accordingly resumed the Consideration of it; and though a small, very small Opposition then appeared to it in the House, yet as even that was founded not on the Impropriety of the Thing, but on the supposed Unsuitableness of the Time, or the Manner, and a Majority of Nine Tenths being still for it, a Petition was drawn agreeable to the former Resolve, and ordered to be transmitted to his Majesty.

But the Prefacer tells us, that these Petitioners for a Change were a “Number of *rash, ignorant, and inconsiderate* People,” and generally of a *low Rank*. To be sure they were not of the Proprietary Officers, Dependants, or Expectants, and those are chiefly the People of *high Rank* among us;—but they were otherwise generally Men of the best Estates in the Province, and Men of Reputation. The Assembly, who come from all

who wrote circular Letters to every Congregation in the County, to deter them from petitioning, by dutiful Intimations, that if we were *reduced* to a Royal Government, it would be the “*Ruin of the Province*,” it is a Wonder the Number (near a sixth Part) was so great as it was. But if there had been no such Petitions, it would not have been material to the Point. The Assembly went upon another Foundation. They had adjourned to consult their Constituents;—they returned satisfied that the Measure was agreeable to them, and nothing appeared to the contrary.

Parts of the Country, and therefore may be supposed to know them at least as well as the Pre-facer, have given that Testimony of them. But what is the Testimony of the Assembly, who in his Opinion are equally *rash, ignorant, and inconsiderate* with the Petitioners?—And if his Judgment is right, how *imprudently* and contrary to their *Charter* have *his THREE HUNDRED THOUSAND SOULS* acted in their Elections of Assembly-men these twenty Years past; for the Charter requires them to choose Men of *most Note for Virtue, Wisdom, and Ability!*

But these are Qualities engrossed it seems by the Proprietary Party.—For they say, “ the *WISER* “ and *BETTER* Part of the Province had far different Notions of this Measure. They *considered* “ that the Moment they put their Hands to these Petitions they might be surrendering up their “ Birthright.”—I felicitate them on the *Honour* they have thus bestowed upon themselves, on the *sincere* Compliments thus given and accepted, and on their having with such noble Freedom discarded the snivelling Pretence to Modesty, couched in that thread-bare Form of Words, *Though we say it that should not say it.* But is it not surprising that, during the seven Weeks Recells of the Assembly, expressly to consult their Constituents on the Expediency of this Measure, and during the fourteen Days the House sat deliberating on it after they met again, these their *Wisdoms* and *Betternesses* should never be so kind as to communicate the least Scrap of their *Prudence*, their *Knowledge*, or their *Consideration*, to their *rash, ignorant, and inconsiderate* Representatives? — Wisdom in the Mind is not like Money in the Purse, diminished by Communication to others. They might have lighted up our farthing Candles for us, without

lessening the Blaze of their own Flambéaux.—But they suffered our Representatives to go on in the Dark till the fatal Deed was done, and the Petition sent to the King, praying him to take the Government of this Province into his immediate Care; whereby, if it succeeds, “our glorious Plan of publick Liberty and Charter of Privileges is to be bartered away,” and we are to be made Slaves for ever!—Cruel Parsimony! to refuse the Charity of a little *Understanding*,—when God had given you so much,—and the Assembly begged it as an Alms!—O that you had but for once remembered and observed the Counsel of that wise Poet *Pope*, where he says,

“ *Be Niggards of Advice on no Pretence;*
“ *For the worst Avarice is that of Sense.*”

In the Constitution of our Government, and in that of one more, there still remains a particular Thing that none of the other *American* Governments have, to wit, the Appointment of a Governor by the Proprietors, instead of an Appointment by the Crown. This Particular in Government has been found inconvenient, attended with Contentions and Confusions where-ever it existed, and has therefore been gradually taken away from Colony after Colony, and every where greatly to the Satisfaction and Happiness of the People. Our wise first Proprietor and Founder was fully sensible of this, and being desirous of leaving his People happy, and preventing the Mischiefs that he foresaw must in time arise from that Circumstance if it was continued, he determined to take it away, if possible, during his own Lifetime. They accordingly entered into a Contract for the Sale of the Proprietary Right of Government to the Crown, and actually received a Sum in

in Part of the Consideration.—As he found him-
self likely to die before that Contract (and with
it his Plan for the Happiness of his People) could
be completed, he carefully made it a Part of his
last Will and Testament, devising the Right of the
Government to two noble Lords, in Trust that
they should release it to the Crown. Unfortunately
for us, this has never yet been done. And this is
merely what the Assembly now desire to have done,
—Surely he that formed our Constitution must
have understood it.—If he had imagined that all
our Privileges depended on the Proprietary Govern-
ment, will any one suppose that he would himself
have meditated the Change; that he would have
taken such effectual Measures as he thought them
to bring it about speedily, whether he should live
or die?—Will any of those who now extol him so
highly charge him at the same time with the Base-
ness of endeavouring thus to defraud his People
of all the Liberties and Privileges he had promised
them, and by the most solemn Charters and Grants
assured to them, when he engaged them to assist
him in the Settlement of his Province? Surely
none can be so inconsistent! And yet this Proprie-
tary Right of Governing or appointing a Go-
vernor has all of a sudden changed its Nature;
and the Preservation of it become of so much Im-
portance to the Welfare of the Province, that the
Assembly's only petitioning to have their venera-
ble Founder's Will executed, and the Contract he
entered into for the Good of his People com-
pleted, is stiled an “Attempt to violate the Con-
stitution for which our Fathers planted a Wil-
derness; to barter away our glorious Plan of
publick Liberty and Charter Privileges; a
risquing of the whole Constitution; an offering
up our whole Charter Rights; a wanton sporting
with Things sacred,” &c.

Pleasant surely it is to hear the Proprietary Partizans, of all Men, bawling for the Constitution, and affecting a terrible Concern for our Liberties and Privileges. They who have been these twenty Years cursing our Constitution, declaring that it was no Constitution, or worse than none ; and that Things could never be well with us till it was new modelled, and made exactly conformable to the *British Constitution*. They who have treated our distinguishing Privileges as so many Illegalities and Absurdities ; who have solemnly declared in Print, that though such Privileges might be proper in the Infancy of a Colony to encourage its Settlement, they became *unfit for it* in its grown State, and *ought to be taken away* :—They who by numberless Falshoods propagated with infinite Industry in the Mother Country, attempted to procure an Act of Parliament for the actual depriving a very great Part of the People of their Privileges :—They too who have already deprived the whole People of some of their most important Rights, and are daily endeavouring to deprive them of the rest ! Are these become Patriots and Advocates for our Constitution ?—Wonderful Change ! Astonishing Conversion !—Will the Wolves then protect the Sheep, if they can but persuade them to give up their Dogs ?—Yes ;—The Assembly would destroy all their own Rights, and those of the People, and the Proprietary Partizans are become the Champions for Liberty !—Let those who have *Faith* now make use of it : For if it is rightly defined, *the Evidence of Things not seen*, certainly never was there more Occasion for such Evidence, the Case being totally destitute of all other.—

It has been long observed, that Men are with that Party Angels or Demons, just as they happen to

to concur with or oppose their Measures. And I mention it for the Comfort of old Sinners, that in Politicks, as well as in Religion, Repentance and Amendmient, though late, shall obtain Forgiveness, and procure Favour.—Witness the late Speaker, Mr. *Norris*, a steady and constant Opposer of all the Proprietary Encroachments, and whom, for thirty Years past, they have been therefore continually abusing, allowing him no one Virtue or good Quality whatsoever;—but now, as he shewed some Unwillingness to engage in this present Application to the Crown, he is become all at once the *faithful Servant*—but let me look at the Text, to avoid Mistakes—and indeed I was mistaken.—I thought it had been *faithful Servant of the Publick*; but I find it is only—*of the House*. Well chosen, that Expression, and prudently guarded.—The former, from a Proprietary Pen, would have been Praife too much, only for disapproving the *Time* of the Application.—Could you, much respected Sir, go but a little farther, and disapprove the Application itself; could you but say the Proprietary Government is a good one, and ought to be continued; then might all your political Offences be done away, and your scarlet Sins become as Snow and Wool; then might you end your Course with (Proprietary) Honour. *P*—should preach your funeral Sermon, and *S*—, the Poisuner of other Characters, embalm your Memory.—But those Honours you will never receive; for with returning Health and Strength, you will be found in your old Post, firm for your Country.

There is Encouragement too for young Sinners, Mr. *Dickenson*, whose Speech our Prefacer has introduced to the World, though long hated by some, and disregarded by the rest of the Proprietary

tary Faction, is at once, for the same Reason as in Mr. Norris's Case, become a *Sage* in the Law, and an *Oracle* in Matters relating to our Constitution. I shall not endeavour to pluck so much as a Leaf from these the young Gentleman's Laurels. I would only advise him carefully to preserve the Panegyricks with which they have adorned him: In time they may serve to console him, by balancing the Calumny they shall load him with when he does not go *through* with them in all their Measures: He will not probably do the one, and they will then assuredly do the other.—There are Mouths that can blow hot as well as cold, and blast on your Brows the Bays their Hands have placed there.—*Exerto crede Roberto.* Let but the Moon of Proprietary Favour withdraw its Shine for a Moment, and that “great Number of the principal Gentlemen of Philadelphia,” who applied to you for the Copy of your Speech, shall immediately despise and desert you.—

Those *principal Gentlemen*! What a Pity it is that their Names were not given us in the Preface, together with their admirable Letter! We should then have known where to run for Advice on all Occasions. We should have known who to choose for our future Representatives. For undoubtedly these were they that are elsewhere called “the WISER and BETTER Part of the Province.” None but *Wisdoms* could have known beforehand that a Speech which they never heard, and a Copy of which they had never seen, but were then requesting to see, was “a spirited Defence,” and “of our Charter Privileges;” and that “the Publication of it would be of great Utility, and give general Satisfaction.”—No inferior Sagacity could discover, that the Appointment of a Governor by the Proprietor was one of our “Char-

“ ter

"ter Privileges;" and that those who opposed the Application for a Royal Government were therefore *Patriot Members* appearing *on the Side* of our Privileges and our Charter!

Utterly to confound the Assembly, and shew the Excellence of Proprietary Government, the Prefacer has extracted from their own Votes the Praises they have from time to time bestowed on the first Proprietor, in their Addresses to his Sons. And though Addresses are not generally the best Repositories of historical Truth, we must not in this Instance deny their Authority.

What then avails it to the Honour of the present Proprietors that our Founder, and their Father, gave us Privileges, if they, the Sons, will not permit the Use of them, or forcibly rend them from us?—*David* may have been a Man after God's own Heart, and *Solomon* the wisest of Proprietors and Governors; but if *Reboboam* will be a Tyrant and a —, who can secure him the Affections of the People!—The Virtue and Merit of his Ancestors may be very great; but his Presumption in depending upon those *alone* may be much greater.—

I lamented, a few Pages ago, that we were not acquainted with the Names of those *principal* Gentlemen the *wiser* and *better* Part of the Province. I now rejoice that we are likely some time or other to know them; for a Copy of a Petition to the King is now before me, which from its Similarity with their Letter, must be of their inditing, and will probably be recommended to the People, by their leading up the Signing.

On this Petition I shall take the Liberty of making a few Remarks, as they will save me the Necessity of following farther the Preface, the Sentiments of this and that being nearly the same.

It begins with a formal Quotation from the Petition, which they own they have not seen, and of Words that are not in it, and after relating very imperfectly and unfairly the Fact relating to their Application for a Copy of it, which is of no Importance, proceeds to set forth, "That
 " —As we and all your *American Subjects* must
 " be governed by Persons authorized and ap-
 " proved by your Majesty, on the best Recom-
 " mendation that can be obtained of them, we
 " *cannot perceive* our Condition in this Respect
 " to be *different* from our Fellow-Subjects around
 " us, or that we are thereby less under your Ma-
 " jesty's particular Care and Protection than they
 " are, since there can be no Governors of this
 " Province without your Majesty's *immediate Ap-*
 " *probation* and *Authority*." —Such a Declaration from the *wiser* Part of the Province is really a little surprizing. What! when Disputes concerning Matters of Property are daily arising between you and your Proprietaries, can not your *Wisdoms* *perceive* the *least Difference* between having the Judges of those Disputes appointed by a Royal Governor, who has no Interest in the Cause, and having them appointed by the Proprietaries themselves, the principal Parties against you, and *during their Pleasure* too? When Supplies are necessary to be raised for your Defence, can you *perceive* no Difference between having a Royal Governor, free to promote his Majesty's Service by a ready Assent to your Laws, and a Proprietary Governor, shackl'd by Instructions, forbidding him to give that

that Assent unless some private Advantage is obtained, some Profit got, or unequal Exemption gained for their Estate, or some Privilege wrested from you? When Prerogative, that in other Governments is only used for the Good of the People, is here strained to the extreme, and used to their Prejudice, and the Proprietaries Benefit, can you *perceive no Difference?* When the direct and immediate Rays of Majesty benignly and mildly shine on all around us, but are transmitted and thrown upon us through the Burning-glass of Proprietary Government, can your Sensibilities feel no Difference?—Sheltered perhaps in Proprietary Offices, or benumbed with Expectations, it may be you cannot.—But surely you might have known better than to tell his Majesty, “that there *can be* no Governors of this Province without his *immediate Approbation.*”—Don’t you know, who know so much, that by our blessed Constitution the Proprietors themselves, whenever they please, may govern us in Person, without such Approbation?

The Petition proceeds to tell his Majesty, “That the particular Mode of Government which we enjoy under your Majesty—is held in the highest Estimation by good Men of all Denominations among us, and hath brought Multitudes of industrious People from various Parts of the World,” &c.—Really! Can this be from Proprietary Partizans? That Constitution which they were for ever censuring, as defective in a Legislative Council, defective in Government Powers, too popular in many of its Modes, is it now become so excellent?—Perhaps as they have been tinkering it these twenty Years, till they have stripped it of some of its most valuable Privileges, and almost spoiled it, they now begin to like it.

But then it is not surely this *present Constitution* that brought hither those Multitudes. They came before.—At least it was not that Particular in our Constitution, the Proprietary Power of appointing a Governor, which attracted them; that single Particular which alone is now in question, which our venerable Founder first, and now the Assembly, are endeavouring to change. As to the remaining valuable Part of our Constitution, the Assembly have been equally full and strong in expressing their Regard for it, and perhaps stronger and fuller; for their Petition in that respect is in the Nature of a *Petition of Right*; it lays Claim, though modestly and humbly, to those Privileges on the Foundation of Royal Grants, on Laws confirmed by the Crown, and on *Justice* and *Equity*, as the Grants were the Consideration offered to induce them to settle, and which they have in a Manner purchased and paid for, by executing that Settlement without putting the Crown to any Ex-
pence.

Whoever would know what our Constitution was when it was so much admired, let him peruse that elegant farewell Speech of Mr. *Hamilton*, Father of our late Governor, when, as Speaker, he took his Leave of the House, and of publick Business, in 1739—and then let him compare that Constitution with the Present. The Power of appointing publick Officers by the Representatives of the People, which he so much extols, *where is it now?* Even the bare naming to the Governor in a Bill, a trivial Officer to receive a Light-house Duty, which could be considered as no more than a mere Recommendation, is, in a late Message, stiled, “An Encroachment on the Prerogative “ of the Crown!” The sole Power of raising and disposing of publick Money, which he says was then

then lodged in the Assembly, that inestimable Privilege, *what is become of it?* Inch by Inch they have been wrested from us in Times of publick Distress, and the rest are going the same way.—I remember to have seen, when Governor *Hamilton* was engaged in a Dispute with the Assembly on some of those Points, a Copy of that Speech, which then was intended to be reprinted, with a Dedication to that honourable Gentleman, and this Motto from *John Rogers's* Verses in the Primer.

*We send you here a little Book,
For you to look upon ;
That you may see your Father's Face,
Now he is dead and gone.*

Many a such *little Book* has been sent by our Assemblies to the present Proprietaries.—But they do not like to see their *Father's Face*; it puts their own *out of Countenance*.

The Petition proceeds to say, “ That such Dis-
“ agreements as have arisen in this Province we
“ have beheld with Sorrow; but as other around
“ us are not exempted from the like Misfortunes,
“ we can by no Means conceive them incident to the
“ Nature of our Government, which hath often
“ been administred with remarkable Harmony :
“ And your Majesty, before whom our late Dis-
“ putes have been laid, can be at no Loss, in
“ your great Wisdom, to discover whether they
“ proceed from the above Cause, or should be
“ ascribed to some others.” The Disagreements
in question are Proprietary Disagreements in Go-
vernment, relating to Proprietary private Interests.
—And are not the Royal Governments around us
exempt from these Misfortunes? Can you really,

Gentlemen, by no Means conceive, that Proprietary Government Disagreements are incident to the Nature of Proprietary Governments? Can they in Nature be incident to any other Governments? If your *Wisdoms* are so hard to conceive, I am afraid they will never bring forth.—But then our Government “hath often been administred with re-“markable harmony.” Very true; as often as the Assembly have been able and willing to purchase that Harmony, and pay for it, the Mode of which has already been shewn. And yet that Word often seems a little unluckily chosen: The Flame that is often put out, must be as often lit.—If our Government hath often been administred with remarkable Harmony, it hath as often been administred with remarkable Discord. One often is as numerous as the other.—And his Majesty, if he should take the Trouble of looking over our Disputes (to which the Petitioners, to save themselves a little Pains, modestly and decently refer him) where will he, for twenty Years past, find any but Proprietary Disputes concerning Proprietary Interests, or Disputes that have been connected with and arose from them?

The Petition proceeds to assure his Majesty, “That this Province (except from the Indian Ra-“vages) enjoys the most perfect internal Tranquil-“lity!”—Amazing!—What!—the most perfect Tranquillity! when there have been three atrocious Riots within a few Months!—When in two of them horrid Murders were committed on twenty innocent Persons, and in the third no less than one hundred and forty like Murders were meditated, and declared to be intended, with as many more as should be occasioned by any Opposition!—When we know that these Rioters and Murderers have none of them been punished, have never been pro-

prosecuted, have not ever been apprehended ! when we are frequently told, that they intend still to execute their Purposes as soon as the Protection of the King's Forces is withdrawn !—Is our Tranquillity more perfect now than it was between the first Riot and the second, or between the second and the third ?—And why, “ *except the Indian Ra-“ vages,* ” if a little Intermission is to be denominated “ the most perfect Tranquillity ? ” For the *Indians* too have been quiet lately. Almost as well might Ships in an Engagement talk of the most perfect Tranquillity between two Broadsides.—But “ a Spirit of Riot and Violence is foreign “ to the general Temper of the Inhabitants.”—I hope and believe it is ;—the Assembly have said nothing to the contrary.—And yet is there not too much of it ?—Are there not Pamphlets continually written, and daily sold in our Streets, to justify and encourage it ?—Are not the mad armed Mob in those Writings instigated to embrue their Hands in the Blood of their Fellow-Citizens ;—by first applauding their Murder of the *Indians*, and then representing the Assembly and their Friends as worse than *Indians*, as having privately stirred up the *Indians* to murder the white People, and armed and rewarded them for that Purpose ?—LIES, Gentlemen, villainous as ever the Malice of Hell invented ; and which, to do you Justice, not one of you believes, though you would have the Mob believe them.

But your Petition proceeds to say, “ That “ where such Disturbances have happened, they “ have been speedily quieted.”—By whom were they quieted ?—The two first, if they can be said to be quieted, were quieted only by the Rioters themselves going home quietly (that is, without any Interruption) and remaining there till their

next

next Insurrection, without any Pursuit, or Attempt to apprehend any of them.—And the third, was it quieted, or was the Mischief they intended prevented, or could it have been prevented, without the Aid of the King's Troops marched into the Province for that Purpose? —“ The civil Powers “ have been supported,” in some sort. We all know how they were supported; but have they been fully supported? Has the Government sufficient Strength, even with all its Supports, to venture on the apprehending and Punishment of those notorious Offenders? —If it has not, why are you angry at those who would strengthen its Hands by a more immediate Royal Authority? If it has, why is not the Thing done? —Why will the Government, by its Conduct, strengthen the Suspicions (groundless no doubt) that it has come to a private Understanding with those Murderers, and that Impunity for their past Crimes is to be the Reward of their future political Services? —O! but says the Petition, “ There are perhaps Cases “ in all Governments where it may not be pos-“ sible speedily to discover Offenders.” —Prob-
ably; but is there any Case in any Government where it is not possible to *endeavour* such a Dis-
covery? —There may be Cases where it is not
safe to do it: And perhaps the best Thing our Go-
vernment can say for itself is, that that is our Case.—
The only Objection to such an Apology must be,
that it would justify that Part of the Assembly's
Petition to the Crown which relates to the Weak-
ness of our present Government*.

* The Assembly being called upon by the Governor for their Advice on that Occasion, did, in a Message, advise his sending for and examining the Magistrates of *Lancaster County* and *Borough*, where the Murders were committed, in or-
der to discover the Actors; but neither that, nor any of the other Measures recommended, were ever taken.—Proclama-
tions indeed were published, but soon discontinued.

Still,

Still, if there is any Fault, it must be in the Assembly; for, says the Petition, "if the executive Part of our Government should seem in any Case too weak, we conceive it is the Duty of the Assembly, and in their Power to strengthen it." — This *Weakness*, however, you have just denied. "Disturbances you say have been speedily quieted, and the Civil Power supported," — and thereby you have deprived your insinuated Charge against the Assembly of its only Support. — But is it not a Fact known to you all, that the Assembly did endeavour to strengthen the Hands of the Government? That at his Honour's Instance they prepared and passed in a few Hours a Bill for extending hither the Act of Parliament for dispersing Rioters? — That they also passed and presented to him a Militia Bill, which he refused, unless Powers were thereby given him over the Lives and Properties of the Inhabitants, which the publick Good did not require, and which their Duty to their Constituents would not permit them to trust in the Hands of any Proprietary Governor? — You know the Points, Gentlemen: They have been made publick. Would you have had your Representatives give up those Points? Do you intend to give them up when at the next Election you are made Assemblymen? If so, tell it us honestly beforehand, that we may know what we are to expect when we are about to choose you?

I come now to the last Clause of your Petition, where, with the same wonderful Sagacity with which you in another Case discovered the Excellency of a Speech you never heard, you undertake to characterize a Petition you own you never saw; — and venture to assure his Majesty, that it is "exceeding grievous in its Nature; that it by no Means contains a proper Representation of the " State

“ State of this Province; and is repugnant to
 “ the general Sense of his numerous and loyal
 “ Subjects in it.” Are then his Majesty’s “ nu-
 “ merous and loyal Subjects” in this Province all
 as great Wizards as yourselves, and capable of
 knowing, without seeing it, that a Petition is re-
 pugnant to their general Sense?—But the *Incon-
 sistence* of your Petition, Gentlemen, is not so
 much to be wondered at; the Prayer of it is still
 more extraordinary, “ We therefore most hum-
 “ bly pray, that your Majesty would be graciously
 “ pleased *wholly to disregard* the said Petition of the
 “ Assembly.” What! without Enquiry! with-
 out Examination! without a Hearing of what the
 Assembly might say in Support of it! “ *wholly
 disregard*” the Petition of your Representa-
 tives in Assembly, accompanied by other Peti-
 tions signed by Thousands of your Fellow-Subjects,
 as loyal, if not as *wise* and as *good* as yourselves!
 —Would you wish to see your great and amiable
 Prince act a Part that could not become a Dey of
Algiers?—Do you, who are *Americans*, pray for
 a *Precedent* of such Contempt in the Treatment of
 an *American Assembly*? Such “ total Disregard” of
 their humble Applications to the Throne?—Surely
 your *Wisdoms* here have overshot yourselves.—
 But as Wisdom shews itself not only in doing what
 is right, but in confessing and amending what is
 wrong, I recommend the latter particularly to
 your present Attention; being perfuaded of this
 Consequence, that though you have been mad
 enough to sign such a Petition, you never will be
 Fools enough to present it.

There is one Thing mentioned in the Preface,
 which I find I omitted to take Notice of as I came
 along, the Refusal of the House to enter Mr.
 Dickenson’s Protest on their Minutes: This is men-
 tioned

tioned in such a Manner there, and in the News-Papers, as to insinuate a Charge of some Partiality and Injustice in the Assembly.—But the Reasons were merely these, That though Protesting may be a Practice with the *Lords* of Parliament, there is no Instance of it in the House of Commons, whose Proceedings are the Model followed by the Assemblies of *America*; that there is no Precedent of it on our Votes, from the Beginning of our present Constitution; and that the introducing such a Practice would be attended with Inconveniences, as the Representatives in Assembly are not, like the *Lords* in Parliament, unaccountable to any Constituents, and would therefore find it necessary for their own Justification, if the Reasons of the Minority for being *against* a Measure were admitted in the Votes, to put there likewise the Reasons that induced the Majority to be *for* it. Whereby the Votes, which were intended only as a Register of Propositions and Determinations, would be filled with the Disputes of Members with Members, and the publick Business be thereby greatly retarded, if ever brought to a Period,

As that *Protest* was a mere Abstract of Mr. DICKINSON's Speech, every Particular of it will be found answered in the following Speech of Mr. GALLOWAY, from which it is fit that I should no longer detain the Reader.

ADVERTISEMENT.

To introduce the following Speech to the Publick,
some Account of that to which it was an Answer
seems necessary.

During the Time of the several Debates respecting the Change of Government, Mr. Dickinson seldom attended, and was absent when the important one was on, which issued in the Resolve to adjourn and consult the People. At the next Meeting several Motions were made to bring this Resolution to an Issue, and, after great Deliberation, it was resolved, by a Majority of Twenty-seven to Three, that a Committee should be appointed to bring in the Petition to his Majesty to resume the Powers of Government. But at none of these Debates and Resolutions was Mr. Dickinson present, though he well knew, or at least had great Reason to expect this Business was in continual Agitation.

During this Time, and the Recess of the Assembly, Mr. Dickinson employed himself in collecting his Sentiments in Opposition to the Measure, and in forming his Thoughts into the best Order, and dressing them in the best Language his Abilities were capable of. And upon the first Reading of the Petition, and not till then, had he in all this Time entered into the Debate, or publickly delivered his Opinion respecting the intended Change.

After a Measure is resolved on in a House of Legislature, it is well known to be contrary to all Rule and Order to object to the Measure, otherwise publick Business

Business could never be brought to an Issue. Members may speak to the Mode, but not object against the Thing resolved on. But this Rule, so necessary in publick Transactions, was sacrificed either to Mr. Dickinson's Indolence in not attending, or to his Industry in forming his Speech. For he was permitted to object to the Design itself.

In the Debate on the first Reading of the Petition he attempted to deliver his Objections against the Measure, ore tenus; but finding every thing he offered judiciously and sensibly refuted by several Members, he was obliged to retreat to his Speech in Writing, which, after a short introductory Apology, he read in his Place, in a Manner not the most deliberate.

This unparliamentary Mode of Proceeding, and the Difficulty of retaining in the Memory so long and elaborate a Performance, obliged and indeed justified the Gentleman, the Author of the following Speech, in taking short Notes, from which, after Mr. Dickinson had concluded, he rose to answer the Objections offered against the Petition. But the Speaker being exceedingly indisposed, the Debate was adjourned till next Day.

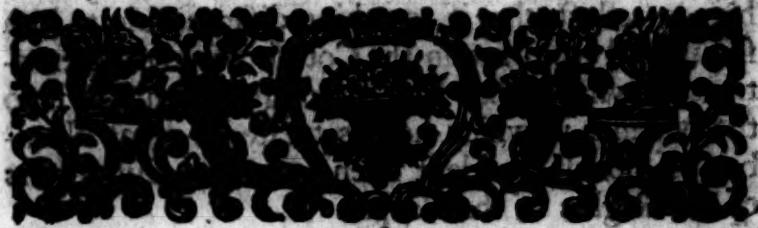
Before the Adjournment Mr. Dickinson was requested by several Members, and informed by the Speaker, that he ought to leave his Speech on the Table, for the Perusal and Consideration of the House. But this he several Times evaded, alleging in Excuse, that it was too incorrect and indigested, although he was repeatedly informed, that none would examine it with a View to make any critical Observations on the Stile or Method, but only to make themselves acquainted with the Substance. At length he was prevailed on to promise in the most solemn

Manner that he would deliver it to Mr. Galloway that Evening. That Gentleman called on him at the Time appointed; but Mr. Dickinson continuing in the same Humour, declined delivering it. Nor did he give the Members an Opportunity of perusing it until the Debate was over, and the Question called for, whether the Petition should be transcribed for a third Reading. Which passed in the Affirmative by the Votes of all the Members who rose on the former Question. All that Mr. Dickinson had either said or read not having the Success of altering the Opinion of a single Member.

Nor did the Speech then remain long upon the Table; for Mr. Dickinson immediately after got it into his Hands again, and carried it out of the House. What has been done with it since, to whose Care and Correction it has been committed, and by whom, and with what Views it has been published, the Preface attending it sufficiently demonstrates.

However, since the Art and Dress in which it now appears to the Publick, very different from that in which it appeared in the House, renders it little less than necessary that the Publick should know the Arguments and Reasons which prevailed on the Members to retain their former Resolution of prosecuting the Petition to the Crown, the following Speech, in Substance the same that was offered by Mr. Gal- loway, in answer to Mr. Dickinson, taken from his Short Notes, and put into Order, is submitted to the Consideration of the Lovers and Supporters of publick Liberty, Order, and good Government.

and that the new Government which is to be
established will be the best in the world, and that
it will be a great blessing to the country.



is no better and wiser than that of the Committee of the House of Commons to which I have given my full and hearty support.

Mr. Galloway's SPEECH, &c.

Mr. SPEAKER, I have given my full and hearty support to the Committee of the House of Commons to which I have given my full and hearty support.

In this important Debate I shall not take up the Time of the House in making large Protestations of my Sincerity, or that my Conduct is actuated by an ardent Desire to restore the almost expiring Liberties of my Country. Should any Person question those Points, I shall leave them to be determined by my past and present Actions, which will have more Weight for or against me than all that I can say on the Occasion. Should those fail of demonstrating the Rectitude of my Conduct, I am sensible the most solemn Professions will not produce that Effect; and by avoiding them, I spare myself the Blush, and you the Pain that must arise from an Eulogy made by a Man on his own Actions. I therefore recommend it to the Gentleman, whose long Performance I now rise to answer, to consider, that a steady Uniformity of Conduct in Support of publick Liberty would have stood in no Need of such Aids; and

and that a contrary Behaviour, with the Judicious and Impartial, will not receive the least Advantage from them. And it will also be but just in him to reflect, that if any thing distasteful to him should fall from me in the Course of my Considerations on what he has said, he ought to impute it to the Moment in which he has treated a great Number of honest prudent Men, the long Supporters of the Rights of the People.

The Censure he has so liberally bestowed on a very great Majority of the House, is too indecent to be passed over in Silence: When this important Affair had been fully considered and debated, viewed in all Lights, and fully determined by so great a Majority as Nine Tents in favour of the Measure, it is not surprizing to hear our Conduct represented as flowing from a " Transport of Zeal " and Resentment, and violent Passions!"—I know of nothing that can justify so unbecoming a Charge. This House, Sir, has long submitted to Proprietary Injustice, and from a melancholy impelling Necessity has given up many important Points of the Liberties of the People. They have seen one Privilege after another sacrificed without the least Hopes of Recovery, and new Demands and Exactions every Day made. And at length tired out with the continually increasing Mischief constantly flowing from an Union of great Wealth, with extensive Power, and after having in vain attempted every other Measure for saving their Country from Ruin, they have resolved to petition his Majesty to resume the Powers of Government into his own Royal Hands.

And certainly, Sir, this Resolution was far from being hasty or precipitate: The Measure had been often thought of and proposed by the same Members

bers in preceding Assemblies. At the last Sitting it was frequently moved, and then solemnly debated: And yet so coolly and deliberately did they proceed, that they would not absolutely determine on this important Point without first adjourning to consult their Constituents. The Adjournment was accordingly made for six Weeks, and we are now returned to these Seats, fully convinced that our Conduct is approved of by all the Friends of Liberty, and Lovers of Order and Government. Hence I conclude, that the Resolution of this House is not founded in Passion or Precipitation, but in cool Reflection, and solid Judgment; and that the Charge the Gentleman has made against it is as groundless as it is indecent.

I own, Sir, all Passion and undue Attachment of every kind should be banished from publick Councils. And that there are Passions, which though they do not arise from "Resentment," yet are equally dangerous to the publick Weal, and to which it has frequently fallen a Sacrifice. Such is the Passion of Ambition: — A restless Thirst after Promotion; a Fondness to serve the Purposes of Power, from an Expectation of being rewarded with Posts of Honour and Profit. These equally blind the Understanding, captivate the Judgment, and destroy the pure Operations of Reason. And I cannot but wish the Gentleman was as free from these mischievous Passions, so frequently destructive of publick Liberty, as the Majority of this House is from those with which he has charged them, with so little Respect and Reserve.

But, Sir, I will proceed to the Merits of this Debate.— The Gentleman contends, That this is not

not the proper Time to petition for Relief from our Distress by a Change of Governors; but agrees, if the Change can take Place with our Privileges preserved, "Let it take Place instantly." Thus confessing that a Change is necessary, and yet, in a few Minutes after, he positively affirms our Privileges are "all safe now, and that we are in the "full and peaceable Enjoyment of them." A Declaration of this Kind, Sir, from a Stranger to Proprietary Usurpations, would have been scarcely excusable: Because a Man ought to be acquainted with Facts before he positively determines on them. But in a Gentleman who has seen so many of our Rights fading and expiring under the baleful Influence of Proprietary Ambition and Interest, it is utterly unpardonable. There are but few, very few indeed, even of those who are most dependent on Proprietary Favour, but will acknowledge in private, where they dare to own what they think, that our Rights are deeply wounded by the Attempts of Power.—But permit me to ask the Gentleman, if our Liberties are in such a State of perfect Security, why is a Change necessary at all? Why should it take Place even now or hereafter? —I leave this Contradiction to him to reconcile.—I confess, Sir, I cannot do it.

It is a stale and common Device, where Men are destitute of Arguments to support an Opposition to a necessary Measure, to use all their Force in persuading to put off and procrastinate. But, Sir, I am confident this Art will not succeed now; for all that has been said has not tended to alter, but to confirm my Judgment, that now is the only proper Time to forward the Petition.

That there are "certain Periods when Designs "may be executed much more easily and advan-
"tageously

"tageously than at any other; that a strict Attention to every interesting Circumstance is necessary; and that we ought to wait until they have ripened into a favourable Conjunction," I agree.—All this has been done by the Assemblies of this Province, who, like the Parliament of *England*, after having long opposed the most arbitrary Measures in vain, and essayed every domestic Expedient to restore the lost Liberties of their Country, found nothing would save her but a Revolution.—We have often attempted to obtain Relief from Oppression from the Proprietaries, but in vain.—They have forbid us even to address them.—They have refused to hear us.—We have opposed their Measures before the Privy-Council.—We have been but partially relieved, occasioned entirely by their Misrepresentations: And now we find, from their increasing Interest, unless we can effect a Change at this Time, any future Attempt must be ineffectual.—We have considered every interesting Circumstance, and find them all ripened up to this favourable Conjunction." And in my Opinion this is the only Time of petitioning with a Prospect of Success. My Reasons are, —The Proprietors, if they should incline to oppose this Change (as it is not certain they will, since it is a Part of the Proposal that a full Equivalent be made them) have not probably so great an Interest now to support their Pretensions as they have had heretofore, Death having removed two of their principal Friends in the Privy-Council: Then as to our being deprived of any of our Privileges in the Change, I apprehend there is not the least Danger of it: The present Ministry, besides the Disposition to mild and equitable Measures which they have already manifested, will undoubtedly be very cautious how they give any Handle to a virulent Opposition, by so great an Act of Injustice as the

depriving a *free People* of those Privileges they have so dearly bought. Were they disposed to do it, they can only do it through the Parliament, which is composed in Part of that very Opposition: Their Prudence therefore, as well as their Justice, will prevent the Attempt. — Again, at this Time the Nation has immense Tracts of Territory to form into new Colonies: By an easy and expeditious Settlement of those Colonies the Wealth and Commerce of the Nation will be increased and extended. — This can only be done by granting to the Settlers particular Privileges, and greater Liberties than the People of our Mother Country and of foreign Nations enjoy in their present State. — Sound Reason undoubtedly will recommend this Policy. And should they even attempt to deprive of its Rights this Colony, which has so remarkably flourished, and now takes off such vast Quantities of *English* Manufactures, from no other Cause but her extensive Privileges, it will require but little Discernment to perceive, how great a Damp such a Measure must give to all the Schemes for new Settlements, and how sensibly the true Interest and Welfare of the Nation will be affected.

This, Sir, is not an imaginary Conjecture: — It is founded on Reason, and on Experience. The Colony of *Barbadoes* had, in the Opinion of the ablest Counsel, forfeited her Charter Privileges. — And yet upon this Policy only her Privileges were preserved, as appears from the Extract read by a learned and worthy Member from the Life of Lord Clarendon*.

But

* “ The Case being thus fully stated to the Lords, they
“ considered seriously amongst themselves what Advice they
“ might reasonably give his Majesty. They were unanimously
“ of

But it is said, " Men of the highest Character
 " (if Reports say true) are endeavouring to es-
 " tablish Proprietary Governments, and therefore
 " probably may more readily incline to favour
 " Proprietary Measures." I much doubt the Truth
 of this Report. I rather think Proprietary Go-
 vernments are, by the Obstructions to his Ma-
 jesty's Service, and fatal Consequences to his Sub-
 jects, rendered so odious, that the Crown will
 choose to retain the Government of the Territories
 granted in its own Hands, whatever Liberties it
 may confer to promote the Settlements.—This cer-
 tainly is the most probable Conjecture, founded
 on a positive Declaration of his Majesty's Min-
 isters. The Declaration was to this Effect:—
 " That his Majesty's Royal Prerogatives were not
 " to be trusted to the feeble Hands of private In-
 " dividuals, who were ever ready to sacrifice them
 " to their private Emolument."

But, Sir, should this Report be true, would not
 common Prudence, or what is more powerful,
 private Interest, induce these Gentlemen to obtain
 as many Privileges for all Sects of People as would
 safely tend to encourage the Settlement of the
 Land granted them? Would they not consider,
 that the more Privileges they could publish to the
 World, the more People would flock to their new

" of Opinion, not to advise his Majesty to cause the Patent to
 " be called in question: For though they doubted not, upon
 " the Opinion of his learned Counsel, that the same would
 " be judged void and illegal; yet they did not think it a *se-
 " sonable Time*, when the Nation was so active and industri-
 " ous in [establishing] foreign Plantations, that they should
 " see a Charter or Patent questioned and avoided, after it
 " had been so many Years allowed and countenanced, and
 " under which the Colony hath so long flourished, and was
 " almost grown to Perfection." *Life of Edward Earl of Cla-
 rendon, Vol. III. Page 940.*

Country, and the sooner their Estate would become valuable? This was the Policy of our first Proprietor. This enabled him to sell his Lands at twice as much as they are sold in any other Government. It was this that has so remarkably advanced, and so speedily perfected the Province we now represent.

Another Circumstance unites to make this Conjunction the most favourable: We have a Sovereign whom the Member himself allows is as "just, benevolent, and amiable a Prince as Heaven ever granted in his Mercy to bless a People." It is to him we petition: It is his Justice we implore, and his Virtue on which we rely for Protection against the Oppression of his private Subjects. To him we have never applied before for Redress: And is he such a Cypher in the Government, that this important Transaction, in which the Rights of Thousands of his loyal Subjects are concerned will not come to his Notice? Is he possessed of so much Justice and Benevolence, and will he permit such Injustice to be done us without interfering?—I cannot believe it.—He has not merited this Charge:—He has not appeared this Nothing in the Constitution:—He has enquired into the Aggrievances of the Subject:—He has redressed them:—And the Minister on whom he much relies is a Man of acknowledged Virtue and Morality. In short, he has hitherto and will still hear and redress the Complaints of his Subjects upon every Principle of Justice and Reason. Will such a Father of his People, when we ask him to separate Power from Property; to take the Nomination of the Governor who is to rule his People into his Royal Hands, for the Delivery and Safety of that People; will he deprive them of their Liberties granted

granted by his Royal Predecessors for a valuable Consideration? " Will he when we ask Bread " give us a Stone? when we ask a Fish, will he for " a Fish give us a Serpent? Or, if we ask an Egg, " will he give us a Scorpion?"

What then are we to fear from such a Sovereign, and such a Minister?----When will the Period arrive productive of such a Number of fortunate Circumstances for our Deliverance?---When will Proprietary Power and Influence again receive such a Shock as to lose in a short Time two of its principal Pillars?----When are we again to expect such extensive Plans for the forming new Colonies and extending the *English* Dominions?---When will the Safety of our Privileges be so naturally supported by the Nation's Welfare?---and when (look History through) can we promise ourselves so just, so good, and so virtuous a Sovereign, to do us Justice?

After what I have said, how foreign must the Case of the Duke of *Monmouth* appear to that of the present Assembly? and how much at a loss for Arguments must the Gentleman be, who is driven to such inapposite Instances to support his Cause?----That Duke, being a Refugee in *Holland*, was made a Tool to the Art and Policy of others. He set up an idle Pretension to the Crown of *JAMES II.* and he landed with 80 private Gentlemen at *Lyme*, at a Time when the King was supported in the warmest Manner by the Parliament, and no one single Circumstance appeared to promise him Success. In the Attempt he failed, and no wonder. More apposite Instances might be produced which happened near the same Period, to shew the Danger of Delays, from the Mischiefs that arose to the Nation, by the Parliament's *omitting* to seize the fortunate

Time

Time of restoring the lost Liberties of *England* ;
But these did not suit the Gentleman's Purpose.

At the End of the Civil War, the King was ready to secure the Liberties of the Nation, which then like the Liberties of *Pennsylvania* were near expiring : But the Art and Policy of wicked Men interfered and prevented.----At the Time of the Restoration, CHARLES II. would have complied with any Terms for preventing the Abuse of Power, and Settling the Constitution on a rational and lasting Foundation. But the *Presbyterians*, out of Hatred to the *Independents*, joined the *Royalists* in all their Measures of Power : This gave them such additional Strength, that instead of restoring the Liberties of their Country, they renewed and continued their former Tyranny. I hope, Sir, the same Sect in this Province will not act the same indiscreet Part : That they will not attempt to sacrifice the Liberties of *Pennsylvania* to their private Animosity : ----Or if they do, that the same fatal Effects will not attend their Actions : The Spirit of Liberty, if properly exerted, will be strong enough to support this Struggle for our Preservation.

But it seems, under these distressing Circumstances, when we have no Prospect of enjoying either Security of Person or Property, the grand and important Objects of all Government, we ought patiently to wait until *Proprietary Influence* shall be at an End. Had the Gentleman, who makes this Proposal, in the long Piece he had read in the House, offered the least Reason to shew when that lucky Period would happen, or that it will ever happen while Proprietary Power and Property are united ; or that it will happen before our invaluable Liberties, and all that *Englishmen* hold in Esteem, will be "consumed, not in the Blaze of Royal Authority."

“thority” as he asserts, but in the Sink of Proprietary Injustice and Ambition, he would have afforded some small Comfort to the expiring Liberties of *Pennsylvania*. But this he has not attempted, conscious of the Vanity and Folly of such an Attempt. Let us but consider, that the Experience of Ages, fully demonstrates Wealth to be the Parent of Power, the Nurse of Influence; and that an Increase in Wealth will as naturally beget an Increase of Power and Influence, as an Increase of Velocity in the falling Stone will produce more certain Death.

Let us take a View of the Proprietary Estate, what it was fifty, what twenty years ago, and what it is now, and we must be convinced, that nothing can prevent their being the richest Subjects in the *English* Nation: And therefore Subjects of the greatest Influence and Power, and more likely in future to oppose with Success any Measures that may be taken against their Oppression. Are we to expect the same Cause will not produce the same Effect, and that Wealth, by some Magick Charm in future, will, instead of producing Power and Influence, bring forth its contraries? If not, how vain and chimerical is the Expectation that Proprietary Power and Influence will ever cease? As vain and chimerical as the Expectation of a future Messiah to the deluded *Jews*.

And as to the Royal and Ministerial Prejudices, we have heard them painted in a Light the most terrible and frightful to us, and the most irreverent and disrespectful to his Majesty: They are represented as so ineradicably fixed, that nothing can remove them; I own I entertain very different Sentiments of the Royal and Ministerial Justice. Will his Majesty and Ministry, upon a solemn Representation and Proof of Facts, refuse to lay aside Prejudices,

judices, which can be easily made appear to be founded on Proprietary Misrepresentations?—Will the Royal Ear be deaf to Truth? or will it not hear at all?—If we are heard, I am confident, nothing is more easy than to shew the Conduct of this House has been founded on the strictest Loyalty to his Majesty, and Regard for the People we represent; and that the Obstructions which his Service has heretofore met with, are entirely owing to Proprietary Oppression and Injustice. Our Proceedings will demonstrate, that the Assemblies of this Province have ever been the first to vote a Compliance with his Majesty's Requisitions.—That the subsequent Obstructions to his Service have flowed from Proprietary Instructions, made in favour of their private Interest. That notwithstanding those Obstructions, in order to comply with the Royal Orders, the Rights of the People have been often waved, the Aids have been always granted, and even upon Terms abhorrent to common Justice. Upon these Facts being fully proved, the Opinion I have of the Royal Goodness and Virtue, will not permit me to doubt, but all Prejudices, if any now remain, will be easily overcome, and the Province restored to her former Credit.

Besides, when I consider the Province of *Pennsylvania* as the only Colony that has fully complied with the General's last Requisition, notwithstanding the unjust Opposition given to it on the Part of the Proprietary; that many have not complied in any Degree, some but in Part, none fully but this Assembly; my Hope is not unreasonable, that former Prejudices will vanish, and our Conduct stand high in the Royal Esteem.

Should so great a Reflection be thrown on his Majesty and his Ministry, as to assert, they are thus

thus irascible, thus blind to Justice and the Complaints of the Subject, in plain Terms (for it has been very fully insinuated, that their present Prejudices, if any there be, cannot be overcome).---I answer, Sir, if this cannot be done now, there is not the least Prospect that it ever can be done.---Every Day hereafter will bring on new Difficulties, and increase the Power of Opposition; and to use the Gentleman's own Words, "It is not to be expected that our Success will be greater when our Opponents will have more Dignity, more Power, and, as they will think, more Law on their Side."---This Consideration alone points out the Propriety of the present Time.

Here, Sir, permit me to observe, the Gentleman entangles himself in another Contradiction. He first contends, this is not the proper Time to petition, because Proprietary Influence and Opposition will, at this Period, be too heavy for us; and then he confesses, we are not to expect more Success hereafter, because the Proprietaries "will have more Dignity, more Power, and, as they will think, more Law on their Side."

It is notorious, the late ministerial Censures have not arisen from any unjust Conduct on our Parts, but entirely from Proprietary Misrepresentations. The Attachment of Human Nature to its private Interest is too obvious in the Course of human Actions to be denied; and the Degrees of this Attachment always increase in proportion to the Wealth possessed---*Crescit amor nummi quantum ipsa pecunia crescit.* This is not Speculation, but what the Experience of many Years plainly discovers with respect to the Proprietaries. From this Source ever will arise Proprietary Instructions, arbitrary and unjust.---A virtuous Legislature

gislature I hope ever will fill these Seats to the latest Ages. Their Virtue and Integrity will ever compel them to oppose Oppression. That Opposition will create Delays and Obstructions to his Majesty's Service, and the People's Welfare. And will ambitious Men, grasping at arbitrary Power, in Case of any Dispute respecting those Obstructions, lay aside their Endeavours, in support of their own Actions, to misrepresent our Conduct? Will they forget the Arts of Deception? They certainly will not; but will exert them with more Ardor and Success, in proportion to their Increase of Wealth, which will serve as a Weapon of Influence to increase our Discredit and the Ministerial Displeasure. Hence, Sir, I have not the Vanity to hope, that if we cannot now succeed in removing the Prejudices occasioned by Proprietary Misrepresentations, we ever shall see the Day, while the Powers of Government are united with immense Property, that Proprietary Influence or Ministerial Prejudices against us will cease. But I much fear a little Time will shew us in the ridiculous Light that Horace shews his Clown, " who meeting a River " in his Road, sat down on the Bank to wait till " the Stream should pass him."

*Rusticus expectat dum defluat annis etat illi
Labitur; et labetur in omne volubilis eorum.*

The Gentleman further proceeds in his Possibilities and Conjectures (for of them and of his Doubts his Piece is entirely composed) and has attempted to point out the Time when he would advise the Prosecution of the Measure resolved on ---- The Time " *may* come (says he) when the " Weight of this Government *may* grow too heavy " for the Shoulder of a Subject; at least too " heavy for a Woman or an Infant." --- This House
would

would have been obliged to him, had he pointed out when these *may-be's* will come to pass. And does he advise us then to submit to our present State of Thraldom and Insecurity, until the Government *may* grow too heavy for the Proprietaries?

-----Were I, with the Gentleman, obliged to use such flimsy Arguments, for want of better, I might reply, this Time *may* never happen; and thus oppose Possibility with Possibility.---But, Sir, I am not reduced to this sad Necessity: I have evident Reasons to offer, why it will not happen.

---Will not Proprietary Wealth and Influence daily increase with the Weight of the Government, in the same, if not a greater Proportion?---The Weight of Government cannot be increased but by an additional Number of Inhabitants.---An Increase of People must necessarily accumulate the Proprietaries Revenues and Estate.---An Increase of Wealth will produce an Increase of Power and Influence; and these will consequently increase the Breadth of the Proprietary's Shoulders, and ever enable him the better to bear the Weight of Government, by procuring more Assistance and Support.

But "this Government *may* be too heavy at least for a Woman or an Infant." But how long are we to wait for these fortunate Periods?---Future Generations may expect them in vain; and what will become of all that the Good and Virtuous in the mean time hold dear and valuable?

---Mr. T. PENN *may* die---and what then? RICHARD is alive.---But he *may* die.---But has he no Heirs?---He has several of Age, full of Health and Vigour, and as likely to live as most Men. But they *may* all die, unmarried, and without Issue. Will not there yet remain the Children of T. PENN?---But they and every of them *may* also die without Issue; and in such Case, the Government must devolve on the Widow of some of them. Is this

what the Gentleman means? for he has not explained himself. If I am wrong, it is his Fault, not mine. And after all these glaring Improbabilities, scarcely Possibilities, shall happen, then it seems is the proper Time for a Change.

I confess I cannot discover the Force of this Mode of Reasoning; but perhaps his own Mode may convince the Gentleman, and therefore for once I will use it. Is it not more than probable this Woman may have as much, if not more, Art, Cunning, and Influence, than our present Proprietaries?—May she not marry a Person of equal Weight, and superior Distinction?—How then can this Period, should it ever arrive, be more proper than the present?—Proprietary Wealth and Influence will be increased, and therefore the Thing more difficult, and of Course the Time more improper.

But, Sir, if those Possibilities should not happen, we are to wait till all the Male Part of the Proprietary Family arrived at Age, save one, shall die, and the Powers of Government shall devolve on an Infant.—I own, Sir, this Period seems as distant and improbable as the other. But when it arrives, how is the Change to be effected? Here the Gentleman is again defective in Explanation. Is it to be by a violent Resumption on the Part of the Crown, without the Consent of the Infant? for he cannot consent. If so, our Privileges will be lost in the Confusion and Violence with the Government.—Is it to be done by a Suit in Chancery, to enforce a specific Performance of the subsisting Contract between the first Proprietor and the Crown? A Court of Chancery cannot make a final Decree in any Case against an Infant till he is of Age. Is it to be by a Parliamentary Enquiry, and an Act of the *British* Legislature, in Consequence of such an Enquiry? If it is, the Rights

Rights of the People may be involved in the Enquiry, which the Mode intended by the House is calculated to avoid. Hence, Sir, it appears, that this Period of all others will be attended with most Difficulty to the Crown, and Danger to the Privileges we wish to have restored from the Bonds of Proprietary Captivity.

Again, it is contended, "that the Proprietary Family *may* be so circumstanced, as to be willing to accept of such an Equivalent for the Government from the Crown as the Crown may be willing to give." What these Circumstances are remains also a Secret to be unfolded. I conclude, Sir, for I can think of no others, that they are when the Government shall be become of ten times greater Value than at present, and when the Estate of the Proprietary Family shall be increased in a ten-fold Proportion to what it is now. But can the Gentleman tell us why they may not possibly be now willing to accept such an Equivalent?

At any of these Times we are told, "this Province may plead the Cause of her Privileges with greater Freedom, and with greater Probability of Success than at present.—The Royal Grant, the Charter founded upon it, the publick Faith pledged to the Adventurers, &c. &c. may be all properly insisted on."—I should be glad to learn why these Things may not now be pleaded with equal Freedom and Success.—Will it be indecent to lay a true State of Facts before his Majesty and Ministry?—Will it be treasonable to inform them—That his Majesty's Royal Predecessors, to encourage the Extension of their Dominions, granted certain Privileges to the first Adventurers—That those Privileges were enlarged by the first Proprietor—That the Privileges thus enlarged

enlarged were ratified and confirmed by the Crown—That the Royal Faith was pledged as a Security for the Enjoyment of them—That in Consequence of these Grants his *British* Dominions have been greatly extended, and the *English* Nation benefited—That notwithstanding all this, the Proprietaries and Sons of the first Grantee, actuated by Motives of private Interest only, and in Violation of the Royal Faith thus plighted, had so highly presumed, as arbitrarily to usurp and dissolve the most valuable of those Rights—That these Things had created so great Disrespect and Contempt for a Proprietary Government, that there was no longer any Security under it; whence his Majesty's good Subjects were not only deprived of those invaluable Blessings so fully granted and confirmed to them, but that all Government was at an End, and the very Design of Society destroyed? And therefore to intreat his Majesty to restore his good Subjects to their lost Liberties and Freedom thus arbitrarily usurped, by separating Proprietary Power from Property, and by resuming the Nomination of the Governor into his own Royal Hands, by inforcing a specific Performance of a Contract, now *bona fide* subsisting between him and the Proprietaries. This is a true State of the Facts, unperverted and not misrepresented. And will this be, as the Member has asserted, “ precluding ourselves from every Office of decent Duty to the most excellent of Kings?” Will this be treating his Majesty with Irreverence and Disrespect?—This or tantamount has been done to the most absolute Monarch. Can a People give a more irrefragable Demonstration of their Loyalty and Affection for their Sovereign, than to petition to be under his immediate Care, and to implore his immediate Protection? And can an Application like this be disagreeable to his Majesty, or

or to his Ministry, so evidently for the Advantage of the Crown, and the Good of its Subjects? No, Sir, there is not the least Danger or Probability of the Member's Prediction coming to pass—That all will be imputed to a “sudden Passion “ and Resentment against the Proprietors.”

I should not, Sir, treat the Member with the Freedom he deserves, if I did not assert that he has wilfully and disingenuously mis-stated in more Parts than one the Ground and Cause of this Petition to the Crown. He has represented it as arising only from our differing with the Governor in Sentiments, on the Stipulation respecting the Proprietaries located and uncultivated Lands; and as if all we complained of was not of more Value than two or three hundred Pounds *per Annum* for a few Years.—Nothing can be more unfair and destitute of Candor:—And nothing more evident of the highest Inattention and Indiscretion, than to appeal to “our Resolves,” so full of different Aggrievances, to support this Representation. Tho' this Aggrievance, Sir, itself is a Thing extremely unjust, and what a free People must with great Reluctance yield to; and yet, was this all, I am confident this House would give up such a Sum, and a hundred-fold added, to restore our Constituents to their lost Liberty. But this is not the Burden of our Complaints and our Oppressions.—They are Things that affect the very Existence of our Privileges and Safety. The very Resolves he appeals to must, when they are considered, cover him with Confusion. It is arbitrary Proprietary Instructions enforced on our Governors, in manifest Violation of the Royal Grant, subversive of the Powers of Legislature, our first and most essential Privilege, we complain of. Instructions that prevent our shewing a cheerful Obedience to the

the Royal Orders, and our Loyalty and Affection to the best of Sovereigns.—Instructions that prevent our affording that Protection to the People committed to our Care, which it is our Duty to give, and their Right to receive.—Instructions which prevent our passing any salutary Regulations for the publick Safety or the People's Benefit.—To which should we submit in Part, we shall soon be obliged to give up the Whole, and be reduced to the servile Condition of the Parliament of *Paris*, or of the worst of Slaves of the most absolute Monarch.

We further complain, That the Increase of publick Houses to an enormous Degree, merely to augment the Income of the Proprietaries Deputy, has corrupted the Morals of the People, to the great Scandal of Religion and Government; has enervated and untimely destroyed Numbers of his Majesty's Subjects, whereby the People are diminished, and the Government weakened; and that all our reasonable Bills which have been presented to Proprietary Governors for a Removal, have been continually refused, from Motives of Private Interest, and Proprietary Instruction.

That the Liberties and Properties of the People are rendered precarious, and dependent on the Will of the Proprietaries, by their influence on the Nomination of the Judges during their Pleasure, who are to determine all Causes between them and their Tenants, the good People of this Province.

That no Military Force can be obtained for the Protection of the Subject, from internal Tumults and Insurrections at home, or from the common Enemy abroad, but upon Terms the most arbitrary

arbitrary and unjust, that will surrender both the Lives and Properties of the People to the Will and Mercy of the Proprietaries and their Deputies.

These intolerable Mischiefs, with a Multitude of others well known to this House, all arising from the Nature of Proprietary Interest and Government, are the true Causes of our Petition to the Crown. Mischiefs which are daily increasing, and will continue so to do, while Power and Property remain in the same Hands, and which will soon, unless speedily remedied, reduce this poor Province to a Condition infinitely worse than any of the Royal Governments in America, so much decried by the Gentleman, and the People to a State little better than absolute Slavery. In those Governments none of these Mischiefs exist. We find in them a full Freedom and Power of Legislation:—No Obstructions to his Majesty's Service, a perfect Administration of Justice, no legally-established Source of Vice and Immorality; and a sufficient Protection against all Tumults, Insurrections, and Invasions.—Why then should we dread a Change, even supposing all his chimerical Fears should prove absolute Realities?

Let us suppose, says the Gentleman, that his Majesty will not accept of the Government, clogged as it will be said with Privileges inconsistent with the Royal Rights.—I cannot think with him this Supposition is reasonable: But suppose it reasonable, the worst Consequence is, that we must then remain where he would have us remain, yet longer in our present Situation; for the Crown cannot take our Privileges from us without an Act of Parliament. But were it in his Majesty's Power to deprive us of our Rights, he would certainly

tainly reflect, that those Privileges, whatever they are, were granted and ratified by his Royal Prede-cessors:—That they are the Purchase of the Peo-ple, never yet forfeited:—That it will be an Act of Injustice, and Violation of the Royal Faith, to resume them without the Assent of the Owners:—That such Resumption will deeply affect the Wel-fare of the Nation, and wise Policy of settling the extensive newly-acquired Dominions. And has his Majesty less Justice and Goodness of Heart than his Royal Predecessors, who granted and con-firmed these Privileges? Will he violate their Co-venants and Acts, which remain in full Force and Virtue? Or has he less Wisdom, and will there-fore damp the new Settlements intended of his now more than ever extensive Dominions, for the sake of depriving an affectionate People of a few Privileges most solemnly granted and confirmed to them?

The Gentleman thinks “ the Petitions from the “ People to the Crown, which have been laid “ before the House, can be regarded in no other “ Light than a Surrender of the Charter.” I am at a Loss, Sir, to know what Idea he fixes to the Word *surrender*. It imports some Act of yielding up something we are in Possession of; but no Words of that Import are to be found in the Pe-titions. The former Part of them mentions the Mischiefs and Aggrievances the People labour un-der in the present Form of Government, arising from the Nature of that Government. And in the Conclusion makes the very Design and End of Petitioning, the Enjoyment of those “ Privileges “ granted them by his Majesty’s Royal Prede-cessors, freed from the Inconveniencies incident “ to Proprietary Governments;” and not a Word, nor even a Hint, is contained in them that the Pe-titioners

titioners would surrender, or even wave them.—Hence it appears that the Petitions cannot be construed into a Surrender by the most tortured Interpretation, and without violating the Words, the Sense, the very End and Design of them; and that this will be done, either by his Majesty or his Ministry, the Opinion I entertain of their Justice forbids me to suppose. And therefore I shall leave this invidious Reflection on his Majesty and his Servants to be nursed and propagated by the Gentleman who has so freely published it.

To answer particularly all the supposititious Reasons and conjectural Arguments that have been offered by the Gentleman, to prove that his Majesty and Ministry will act with Violence, and desert the Principles of Justice and Law to take away our Rights without our Consent, would be taking up your Time very unnecessarily. These Reflections, so groundlessly bestowed on them with so little Decency and Reserve, must in every loyal Breast create Disgust against the Author, not a Fear of becoming his Majesty's immediate Subjects.—And as to the Ministry, whatever Opinion has been entertained of a former one, the present is composed of many different Members, who are now under the Influence of the best of Sovereigns.—We have made no Appeals to them:—We have had no Experience of their Injustice.—But should they be regardless of Justice, should they incline to deprive us of our Liberties against our Consent, we have the Satisfaction to know with indisputable Certainty that they cannot, unless a *British* Parliament should ratify their Injustice.

Our Privileges do not depend on a Proprietary Charter:—They are all confirmed by the Laws of this Province; those Laws have received the Royal

Approbation, and are become thereby of equal Solidity with an Act of Parliament, and therefore they cannot be repealed by any Power but that of the King, Lords, and Commons.

And have we not here, Sir, all the Security Reason can desire, that our Privileges thus solemnly confirmed, and never forfeited, will be preserved on a Change? I agree we have not, if we implicitly believe the prophetical Conjectures of this Gentleman: "For (says he) this Affair is laid " before the Parliament, the Desires of the Mi-
" nistry are insinuated, the Rights of the Crown " vindicated, and an Act passes to deliver us *at* " *once* from the Government of Proprietors and " the Privileges we enjoy." Is not this an amazing Supposition, contradicted by Reason and Experience? Is not this a most indecent Reflection on a British Parliament?—I shudder at the Explanation; but it is necessary.—According to this Doctrine, Sir, the King, Lords, and Commons are the servile Dupes of the Ministry. Without Consideration, without the least Reason, in an Instant a Law passes the whole *British* Parliament, at the Desire of the Ministry, to blast our Liberties. The Royal Faith pledged to the Subject is violated by Royalty itself,—and private Injustice is done by the wisest Legislature in the World, renowned for their Justice in all Nations.

A Supposition so invidious, so destructive of the publick Reputation of the *British* Government, cannot gain Credit with the most credulous. Many Instances might be produced, wherein that honourable Body the House of Commons have rejected the unjust Attempts of particular Ministers on the Liberties of *America*. I will mention two.—In
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the Year 1718, influenced by Misrepresentations, there was an Attempt to enforce Royal Instructions on the Governors and Assemblies of the Colonies as Laws; but the latter conceiving them inconsistent and destructive of their Powers of Legislation, did not pay that Regard to them that was required. Application was therefore made to the House of Commons, for a Law to give them the same Force with an Act of Parliament—But that Body thought it extremely unjust, as it really was, to deprive *British* Subjects of those Privileges which had been granted to them, and under which they had settled,—and rejected the Application.— In the Year 1748, the like Attempt was again made, and it met with the same Fate and Success. Thus, Sir, we see a *British* House of Commons, the Guardians of *British* Liberties, have not been found, on Experience, so lost to Justice and publick Faith as has been represented.—And we have no Reason to believe they are now grown more corrupt, or less virtuous.

And, Sir, should an Application be made to Parliament to new model our Constitution, when it is found that illegal Proprietary Instructions, disannulling the Powers of Legislation, contrary to the Privileges granted by the Royal Charter, is one of the Causes of our Petition; that these Instructions have been the sole Impediments to his Majesty's Measures, and the Protection of his Colonies, will they not justify the Legislature that opposed them?—Will they not countenance a Conduct so similar to their own?—Will they refuse enforcing the Instructions of the Crown, as a Thing illegal, unjust, and inconsistent with the Rights of the Freemen of *America*, and yet approve and enforce the Instructions of private Subjects, founded on an unjust Attachment to their own

private

private Interest? The Absurdity, Sir, is too glaring to admit of a Supposition.

But further, to paint out Royal and Ministerial Injustice in the blackest Colours, and to aggravate the dreadful Consequences we are to expect from it, the Gentleman affirms, that " we find, during " the late War, every Point in which the Proprietaries thought fit to make any Opposition decided against us."—Here, Sir, the Gentleman has wandered widely from the Facts. In the Year 1759, the Time he alludes to, nineteen Acts passed by this Legislature were presented for the Royal Approbation; thirteen of them were confirmed, though five of the thirteen were warmly opposed by the Proprietaries, as inconsistent with the Royal Prerogatives.

They earnestly contended that the Nomination of Commissioners, in Supply Bills, to dispose of the publick Money, was an Invasion of his " Majesty's Prerogatives, and the Power and Privileges vested in them by the Royal Charter;" and yet this important Point was determined in our Favour, though contrary to the Practice of Ages in our Mother Country, where all the publick Monies are disposed of by the Crown alone.

They opposed, for the same Reason, the Confirmation of the Law to prevent the Exportation of bad and unmerchantable Staves, &c. because their Deputy-Governor had not the Nomination of the Officer to put the Act in Execution; and yet this Act was confirmed and approved by the Crown.

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The Act to prevent the Exportation of unmerchantable Bread and Flour was opposed on the same Principle, but with as little Success on the Part of the Proprietaries.

These, with many other Points too tedious to enumerate, were opposed with all the Proprietary Power and Influence before the Ministry; and yet, Sir, the Assembly succeeded, and Justice was done the People of *Pennsylvania*. After these irrefragable Proofs of Royal and Ministerial Justice, if they should not succeed in prevailing on the Gentleman to alter his Sentiments and free Method of censuring them, I cannot doubt but that they will at least wipe away these groundless Fears and frightful Apprehensions he has endeavoured to inculcate of the Loss of our Privileges by their unjust Measures.

I do not expect, upon a Change of Governors, that a perpetual Calm will ensue, or that no Contests will ever arise between the Ruler and the People.—That would be vain indeed! an Expectation contradicted by evident Experience and the very Nature of human Affairs. But, Sir, what I expect, and what every sensible Man must naturally foresee, is, that publick Disputes will be very rare and uncommon. With what Ease and Expedition was the publick Business and his Majesty's important Service carried on during the late War in all the Royal Governments?—Not a Dispute or Murmur subsisted between the Governors and the Governed, in their several Legislatures. But in the two only Proprietary Governments in *America*, Proprietary Contests were as constant and certain as the Meeting of their Legislatures. In one, his Majesty's Measures for the Protection of his Colonies received little or no

Affistance

Assistance at all; in the other, it met with great and pernicious Obstructions. From whence does this Difference between Royal and Proprietary Governments spring?—From whence do these Mischiefs arise? I appeal, Sir, to the Unbiased and Impartial whether they do not proceed from the very Nature of Proprietary Governments.—In the former, the Ruler has no sinister Motive, no undue Bias to seduce his Attention from the publick Weal, and the Good of the People.—But in the latter, private Interest, like some restless Fiend, is always alive, is ever active: Active in perpetual Opposition to the true Interest of the Colony. Hence it is that incessant Contentions must ever exist, until the Spirit of Liberty is worn out, and the People, fatigued with Controversy and Oppression, shall servilely submit to the Will and Pleasure of the Proprietor. From these Mischiefs, not to be avoided under our present Form of Government, I hope to be one of the happy Instruments of relieving my Country by the Petition for a Change: And of conducting my Fellow-Subjects to a secure Haven, where, though a Storm may once in an Age arise, they shall remain in Safety, nor dread the fatal Rocks of Proprietary private Interest, or Proprietary Influence.

Permit me next, Sir, to attend the Gentleman in his Remarks on our Privileges, on which Head I shall be brief.

“ We here enjoy (we are told) that best and greatest of all Rights, a perfect religious Freedom.”—So do all Protestants in every Royal Government under his Majesty.

“ Provincial Commissioners dispose of our publick Money.”—So they do in *New-York, New-Jersey,*

Jersey, Virginia, and Carolina; and so they may in every other Colony on the Continent.

“ The Posts of Honour and Profit are unfettered with Oaths or Testts.”—The People of *Jersey* enjoy the same Privileges as to Oaths; and in my Opinion the same might be obtained in every other Government, on a proper Application:—And as to a Testt, except the usual Testt required by Act of Parliament, and common to all the King’s Dominions, such a Thing is not known in *America*, unless imposed by the Legislature of any Colony.

“ Those who are conscientiously scrupulous of taking an Oath are admitted as Witnesses in criminal Cases.”—Where this Scruple is rare in Proportion to the Number of Inhabitants, a Government may, without great Inconvenience, refuse to indulge it; but where so great a Part of the People as in *Pennsylvania* are subject to it, Necessity will oblige a Government to allow an Affirmation for its own sake, if not for that of the Scrupulous, as otherwise Justice, one main End of Government, could not be obtained. I have never seen a Calculation, but I apprehend the Numbers in this Province scrupulous in this Point may be justly computed One Third of the People: There being the People called *Quakers*, the *Moravians*, *Menonists*, *Dumplers*, and a great Number of the *Irish* and *Dutch* Presbyterians, who have those Doubts. Should they be deprived of the Privilege of an Affirmation in lieu of an Oath, in all Probability one Offender out of three in every Kind of Crime would escape with Impunity, for want of Testimony to convict the Criminal. For should one of these People be robbed alone, or should he be robbed or murdered in the Pre-

sence of another of them, the Offender must escape the Penalty of the Law, because the Witness cannot swear. The like Inconvenience to the Public must happen, where any other Person is murdered in their Presence; to the great Encouragement of Offenders, and the Obstruction of Justice.—Hence, Sir, there can be no Danger, that a Colony, thus circumstanced, will ever be deprived of this Privilege:—Common Policy, in the Administration of Justice, and the Safety of the People, in both Life and Property, forbid it.

“ Our Legislation suffers no Checks from a Council, instituted in fancied Imitation of a House of Lords.” But, Sir, have we not a Council dependent on the Will and Pleasure of our Oppressors, infinitely more mischievous? And is it possible, that the Gentleman is so little acquainted with the pernicious Effects of Proprietary Instructions, which not only check, but destroy, the Powers of Legislation, and chain down the Discretion of both Branches so effectually, as to make them Cyphers in the Constitution? Instructions which render them the Resemblance of the *French* Parliament, with only the Power of forming and registering their Master’s Edicts—differing only in this imbittering Circumstance, that *they* are obliged to submit to the Edicts of Royalty, but we to those of private Men, no ways superior to us in Birth, Education, Merit, or Dignity.

“ By the Right of Sitting on our own Adjournments, we are secure of meeting when the public Good requires it.” But, Sir, let me ask, what “ Public Good,” what Service to our Country can we do, when Proprietary Instructions, and Proprietary private Interest, is to enslave our Judgments, and to rule in our Councils?—Has not long Experience

Experience taught us, that we must sit Month after Month, spending and wasting our Constituents Money, fruitless and ineffectual? In short, Sir, these Privileges of Legislature, with that of our annual Elections, of which the Gentleman so much boasts, are all swallowed up and sacrificed at the Shrine of Proprietary Instructions, and the Measures of Power. They are now, Sir, but *Ideal Shadows*, and chimerical Notions.

Under these unfortunate Circumstances, arising entirely from Proprietary Government, what Man that ever tasted of the Sweets of Liberty, that has the least Idea of Freedom remaining, can lay his Hand on his Heart, and dare whisper the Assertion, that we "peaceably and fully enjoy our " Rights and Privileges." Surely, Sir, no greater Mistake was ever affirmed, than that "they are " safe now;" and no Truth more evident than that were we to lose all our Charter Privileges, and only enjoy those of the Royal Governments, our Situation then would be infinitely preferable to our present State.

But, Sir, we are told, some of these Privileges are contrary to the settled Prerogatives of the Crown, and therefore will be resumed on an Application for a Change.--I know of but one of them that is so, which is that of Sitting on our own Adjournments, without a Power in the Governor to prorogue or dissolve us; and I have already shewn that the King and Ministry cannot resume it without the Aid of Parliament, and, Sir, I am confident, their Justice and Policy will ever secure to us Privileges which we have dearly bought and never forfeited, and which are as much our Right as the Money in our Pockets, or any other Property we enjoy.

Again, the Gentleman conjectures, that the Members of the established Church will be very active in this Affair, and will exert themselves to deprive the Dissenters of their religious Rights and Freedom.—For my Part I chearfully confess, I entertain a very different Opinion of their Moderation and Benevolence.—Gratitude to that Church, which has so long held the Helm of Power, which has had, without using them, so many Opportunities of oppressing the Dissenters, forbids me to entertain so malevolent an Idea of them.—Instead of oppressing them, they have, in many Instances, been extending their Rights and increasing their Privileges, ever since the Revolution.—In the Case of *Carolina*, when both Proprietaries and People petitioned for a Change, no such violent Measures were prosecuted, either by the King, the Ministry, the Parliament, or the Church of *England*.—His Majesty and Ministry did not attempt to alter the Laws, or vary the Constitution.—The Matter was laid before the Parliament, and such was their Justice, which has been so much oppugned and traduced, that they did not make the least Alteration, but granted his Majesty the Sum required to purchase the Government and Soil.—Very similar were the Circumstances of that Government at that Time to those of *Pennsylvania* now.—A Savage Enemy, united with the Spaniards, were invading their Frontiers, the People wanted Protection, and his Majesty's Service was obstructed by Proprietary Measures and Interests.—The Colony was settled principally by Persons of the established Church, more than sufficient to fill all the Offices of Government; and yet, Sir, so far was the Royal Justice, or Ministerial Designs, from depriving the Dissenters of their Liberties, that immediately on the Change they repealed the only Law of the Province, imposing

posing a Test on Dissenters, or that affected their Liberties.---After this so late an Instance of Royal and Ministerial Goodness, what have we to fear from our Petition?---Are we to be intimidated, and frighten'd from pursuing the only Measure that can save our Privileges, by such wild Conjectures, such imaginary Possibilities?

The Gentleman's Knowledge and Foresight, carries him still further.---For he not only undertakes to fortell the Actions, but speaks the very Words of the Parliament, when this Affair shall come before them. He intimates, that they will say, "Any Indulgencies shewn to the Colonies heretofore, were like the Indulgencies of Parents to their Infants. They ought to cease with that tender Age." Did they say or act in this Manner, on any of the antecedent Changes from Proprietary to Royal Governments.---A Charge this, full of the highest Indignity and Affront! And will that wise Body countenance such arrant Deception, such unparalleled Fraud.---They have not, they will not.---This is the second Time I have seen this Doctrine published in *Pennsylvania*. I hope I may never see it again. It never took its Origin, nor ever was thought of in our Mother Country. The Author of the *Brief State*, that common Enemy to the Liberties of *America*, built his slavish Superstructure for depriving her of her Privileges upon this Principle. The Crown, Sir, in 1681, with this sole View, to settle this Colony, and to extend the Commerce of the Nation, granted to our Ancestors the Privileges we ought now to enjoy. Those good People left their Mother Country, and every social Connection, and with infinite Toil, Expence, and Danger, unassisted by the Crown, settled this remote Wilderness, to the great Increase of the national Commerce:

merce: and thus have fulfilled their Contract with the utmost Punctuality on their Parts. At first, Sir, our Privileges were of little Value; they could be scarcely exercised or enjoyed.—And now we are arrived at a Capacity to enjoy them, will our Mother Country retain the Benefit of our Labour, and deprive us of the Consideration.—Honour, Reason, Justice, Virtue, forbid it. Let me suppose, by Way of Illustration, that a Father sends his Son into a distant Country, to perform for him some essential Service: And he grants him a Consideration, which he is to have for the Performance. The Son performs the Service with great Toil and Danger, and at his own Expence. But when he should enjoy the Reward of his Fatigue, his Parent arbitrarily deprives him of the Consideration. What Words, Sir, shall we find in any Language, to describe the Idea of a Conduct so base and fraudulent?—And how groundless and affrontive must such an Imputation be to a *British* Parliament?

Our Right to petition for a Change calls next for my Consideration. This, Sir, it is contended, we “ have no Right to do, without the *almost universal* Consent of the People, express’d in the “ plainest Manner.” This Position appears to me as strange as it is absurd. It is contradicted by the Experience and Practice of all Ages and Nations. There is scarcely one Government in the civilized World, that now retains its original Form. And I believe none, Sir, that has been changed by the expressed universal Consent of the People. Innumerable Instances might be adduced of this Truth, from antient and modern History; but a few from the latter may suffice. Was the glorious WILLIAM, the Deliverer of the *English* Nation from Bigotry, Superstition, and Slavery, vested

vested with *British* Regality by the declared universal Assent of the People?—Was the Stadholder elected without considerable Opposition in the States of *Holland*?----They were not.

This Province, Sir, was originally governed by a Governor, a Provincial Council of Seventy, and a House of Representatives, consisting of two Hundred. And in this Council the Governor had but a “treble Vote.”—This was our original Form of Government established in 1682, by the Proprietor and Adventurers. And yet we find that in 1701, this Frame of Government was, after it had undergone various Changes, finally surrendered by six Parts in seven of the Assembly met, *without consulting their Constituents*, and our present Charter accepted. This Change then is either valid or it is not;—it was either made on good Authority, or it was not.—In either Case the Doctrine of universal Consent is absurd or mischievous.—If it is valid, then the Resolution of this House for a Change, assented to by nine Tents of the Members met, must be valid also. If it is not valid, then all our Privileges, derived under our present Charter, so much boasted of by the Gentleman, vanish, being founded on no Authority, and we must recur to the old inconvenient and scarcely practicable Form of Government.

Besides, Sir, the Right in this House to petition for a Change, whenever they think it necessary for the Welfare of their Constituents, is founded on and established by the very Terms of our present Charter. Six Parts in seven of the Assembly met, have Authority to alter, *change*, or diminish the Form and Effect thereof, without consulting or taking the Opinion of the People.

Further

Further to expose the Absurdity of this Assertion; Arbitrary Power will ever have Numbers to support it; without this, Power could not become arbitrary. And should People oppressed, wait for this universal Assent, Changes never would happen, and their Slavery never end.—What is right and necessary for the Safety of the People, virtuous Men, entrusted with their Welfare, will ever pursue, tho' Millions and Mountains oppose.—*Sicut Populi est suprema Lex.*—Let this Principle, and this alone, freed and unshackled with any other Consideration, actuate our Conduct, and we shall ever secure a self-approving Conscience, which is of higher Estimation than the greatest Wealth, the most invaluable Jewels.

But, Sir, I should be glad to learn what is meant by this almost *universal Consent*.—Is it the Consent of two Thirds, nine Tents, or of ninety-nine out of an Hundred of the People?—Where will this vague and indeterminate Rule end?—We have the Satisfaction to know that our Conduct is supported, and the Measure we are taking approved of, by a very great Majority of the People, and all the independent Lovers of Liberty; not merely from the Petitions to his Majesty, now before the House, but by our mixing among them, during our Recess, and various other Means of consulting their Inclinations.—It is to them we are accountable; and if we have their Approbation it is all we ought to expect; their Disapprobation is all we ought to fear.

Before I conclude, I will endeavour, Sir, to remove the “Surprise, Grief, and Terror,” with which the *Form* of our intended Petition to the Crown has struck him. If, Sir, a true Representation

tation of the uncommon Mischiefs which attend the Liberties of a free People, arising from the very Nature of Proprietary Governments—If a true State of our present Confusion, both in and out of our publick Councils—If a just Account of our present Insecurity of Life and Estate given to the Crown be a just Cause of Terror, then the Gentleman's Panick is just. But, Sir, these Things I conceive are rather Causes of Joy than Fear. It is from hence we must hope to be relieved from our present unhappy Circumstances.

But we should not have informed his Majesty, “ that *Pennsylvania* is a Scene of Confusion; that “ armed Mobs are marching from one Place to “ another,” &c. And are not these Things true? ---Armed Mobs, not one only, but three, in the Space of a few Months, have marched from Place to Place, broke open the publick Gaol, and perpetrated with Impunity the most horrid Murders in cool Blood—in the Face of the Magistracy, and Defiance of the Government.—And to add to their Villainy, they came to the capital City, with the same black Design, determined, if we may judge from their Threats, to wreak their Vengeance not only on the *Indians*, but upon some of the Members of Government itself. Nor was the Government capable of defending itself, or the People under its Care. No, Sir, our present Safety, and for aught I know our present Existence, is owing to the King's Troops, and a few brave Volunteers, the Friends of Liberty, of public Virtue, and of Government. And shall we be afraid to reveal such imminent Danger! such extreme Distress! to the best of Kings?— And when such Confusion, such horrid Guilt, such heinous Offences, take Place in a dependent Colony with Impunity; when the Government itself refuses or neglects, or is incapable to afford Redress,

does it not become a matter of the highest Necessity and Wisdom? Is it not our indispensable Duty to represent these Things in their true Light to the Crown, who alone can preserve us from such inexpressible Evils?

But, Sir, should we wave these Things, and draw our Petition in a different Dress, can we annihilate the Messages between the Governor and Assembly? Can we withdraw the Governor's Proclamations? Can we hold the Hands of his Majesty's General, whose Aid we were obliged to accept, from giving the Intelligence?—Can we stop the Mouths and close the Eyes of all *England* and *America*, or prevail on his Majesty or the Ministry to bury in Oblivion what they have ere now so often read and heard?—If we cannot do these Things, how vain and ridiculous must our Attempt be to hide these Tumults and Murders from the Royal Knowledge, should it be thought prudential or useful? But, Sir, that cannot be; for the Assembly of *Carolina* represented their Government in the same State of Confusion and Want of Protection in their Petition for a Change, and no ill but very good Consequences attended it.

If the Gentleman has been struck with Terror at the Form of our Petition, I own, Sir, I am struck with more Amazement at his Conduct in endeavouring to palliate the horrid Murders committed by these Insurgents. I have heard him in this Houte express himself with genuine Warmth and Indignation against them—I have heard him denominate these first of Crimes by their proper Names—I have heard him paint them in their strongest Colours.—But he seems now afraid to call them *Crimes*, and adopts the soft and palliating

ing Term “*Folly*.” He represents them as repenting Men, “convinced of their *Errors*,” and the Conduct of the House as unbecoming in calling them “armed Mobs,” which he represents as “painting them in the strongest Colours.” He would persuade us to believe, “they have renounced all Thoughts of such wild Attempts “for the future.”

Is it not astonishing, that a Gentleman, who so lately could paint these Offences in the most aggravated Light, should now soften them into nothing more than an Act of Folly; and should charge this House with Indecency, in describing with so much Moderation a Set of Villains, who, in Defiance of the Laws, the Magistracy, the Government, and Heaven itself, had murdered a Number of innocent Men, Women, and Children in cool Blood; who exulting and glorying in the Act, attempted to add to their Crime, by resolving to massacre a hundred-and-fifty more, together with some of the best Men in the Government! For such was their Design, if we may rely on their own Declarations and Threats. What Wind has occasioned this sudden Tack in the Gentleman’s Conduct I shall not precisely determine.—Thus much I will add, that it must be some erroneous Policy, not Reason or Virtue; for Murders of the highest Rank cannot be palliated on either of those Principles.

The first Riot in this Province that I can recollect, was spirited up by the Tools of Power to destroy the Freedom of Elections; the second, by the same Persons, to intimidate the House of Representatives into the arbitrary Measures of the Government; the third, to murder and destroy innocent People, his Majesty’s Allies, on their

Settlements, under the Protection of the Government; the fourth, still more aggravated, to murder in cool Blood Men, Women, and Children, under the immediate Care of the Magistracy, and in their Presence; and the fifth, still more heinous and aggravated than all the others, to murder a Number of People under the immediate Eye of the Governor, and the Protection of his Majesty's Troops: nor were the Members of Government itself to have been free from the horrid Massacre, had not these Insurgents been stopped in their Career; not by any Power in the Government, for that was ineffectual, but by the King's Troops, and the voluntary Aid of the Citizens of *Philadelphia*.—Let us take a serious View of these Facts, and then determine what Reason we have to expect these dangerous Tumults are at an End.

—Are not the Murderers still ranging the Country with Impunity?—Has the Government made the least Enquiry after the Criminals, lifted a Finger, or given an Order for their Punishment, though requested to do it by this House? And are not these Things the most evident Proofs of our Insecurity, and of the greatest Disrespect to a Proprietary Government, and that it has not either Power sufficient or Inclination to afford Protection to his Majesty's Subjects?

But, Sir, the Gentleman would persuade us to believe he is well acquainted with their Conduct, their Penitence, and their future Designs, and that they, by some uncommon Atonement, have wiped away the Guilt of their heinous Offences, and never intend to commit them more.

What Communication the Gentleman has with them, or what private Intelligence he has received of their Penitence, are yet unknown, as he

he has not communicated them. But Riots and Murders, Sir, when once begun, encouraged and supported by such Numbers as these have been, seldom cease till the Offenders are punished, or their Designs succeed ; but like the raging Flame, once kindled, will consume all before them, unless extinguished by some superior Force. And the daily Threats of these lawless People, with the infamous Pamphlets continually published to justify and encourage them, do not demonstrate the least Intention in them to alter their Conduct, or the least Wish in their wicked Abettors that they should do so.

“ But (he says) that we shall furnish a Reason for settling a Military Establishment upon us, &c. by thus representing the Government in Confusion.” — A Military Establishment is already, and will be more effectually established in the Colonies. This seems the determined unalterable Resolution of a *British* Parliament.—Nothing less will ever secure them Protection in their present disunited State. There is no Alternative between this Measure and a general Union to insure us Protection against the foreign Invader. Such an Union has been already rejected, and such an one we shall now never enjoy : Our Superiors think it convenient to keep us in another State, and therefore we shall undoubtedly have this Measure, which has struck the Gentleman with so much Terror and Panick, established, whether the Government is changed or not. The Question then arises, whether he had rather have a Military Establishment in a Government under the Crown, or the Proprietaries ?—Impartial Reason, free from Proprietary Attachment, will soon determine.—The Crown has no private Interest to promote ; the publick Good will be its great Object,

Object, and therefore will never make use of it to our Disadvantage. All the Inconveniency we shall suffer by being immediately under the Crown, will be a proportionable Part of the Aids to support the Troops ; but the Proprietaries have great private Interest, an Idol to which they have been long sacrificing the publick Weal without Fear or Remorse. They will undoubtedly then endeavour to make use of the Military Men to serve that Interest, to dragoon the People into their Measures ; the Measures of Slavery and Oppression. Experience hath already convinced us of this Truth ; the Conduct of the Government in the Beginning of the late War sufficiently proves it. Should the Military Power in a Government under the Crown misbehave, we should, upon Complaint, be redressed.—No Person of Influence there would find it their Interest to interfere in Support of them, contrary to the Rights of the People.—But if such a Power is made subservient to Proprietary Measures, will not the Principals in those Measures support that Power ? And will not that Support ever prevent our obtaining Relief ? Hence, Sir, it is clear, since we must have a Military Power established in *America*, nay, since it is done already, it will be infinitely less mischievous to us, less fatal to our Liberties, to become the immediate Subjects of his Majesty, than to remain under our present Government.

The Gentleman asserts, that “ with unremitting Vigilance and undaunted Virtue should a free People watch against the Encroachments of Power,” (meaning the Power of the Crown.) I agree, Sir, we ought to guard against the Encroachments of all Kind of Power ; the Power of the Proprietaries, as well as of the Crown.—The Extent of the latter we know ; the Royal Government

vernment shews its Limits ; they are known and confined, and rare it is that any Attempts are made to extend them : But where Proprietary Power will terminate, where its Limits will be fixed, and its Encroachments end, is uncertain !— It has already been extended to a most dangerous Length, and our Liberties are daily consuming before it. And, Sir, I am fully persuaded, was the Gentleman a Friend to the Liberties of *Pennsylvania*, he would with equal Zeal have recommended this Vigilance and Virtue, to watch against and remove the illegal Usurpations of Proprietary Tyranny.

Permit me, Sir, to answer a few Questions the Gentleman has put, by seriously asking him a few others.—“ Have we not (says he) sufficiently felt “ the Effects of Royal Resentment ?” Royal Resentment, Sir, indecently described by the Gentleman in such aggravated Colours, has been dispensed with Royal Moderation.—But why so much Rancour against the Royal Conduct ? And why so tender of Proprietary Misrepresentations, Proprietary Hatred, and Ill-will against the good People of this Province, the true Causes of the Royal Displeasure ?—Here, Sir, if Justice took Place, would the Shafts and Darts of the Gentleman be pointed.—Here it would be just.—But let me ask what ill Effects have flowed from the Royal Resentment ?—What Liberties has it deprived us of ?—What Privileges has it destroyed ?—None. But, Sir, have we not felt the Iron Rod of Proprietary Instructions, and Proprietary private Interest, wounding and destroying the most essential Rights a People can enjoy ?

“ Is not the Authority of the Crown fully “ enough exerted over us ?” I have seen no undue Exertions of the Royal Authority in this Province.

Province. But has not the private Authority of the Proprietaries been so exerted, that the People have often wanted Protection, and Thousands been sacrificed to their arbitrary Usurpations? If, Sir, the Gentleman was truly concerned for the Welfare of his Country, would he not be more concerned to remove the arbitrary Attempts of Proprietary Interest, instead of abusing the Authority of Royalty, from whence, though we have received a fatherly Reproof, we have received no Injury?—He certainly would.

To conclude, Sir; I have not heard one solid Argument drop from the Gentleman to alter my Opinion; nor do I believe his Eloquence has changed the Sentiments of one Member in the House.—We are too well acquainted with the Facility and Security to our Privileges with which this Measure may be carried into Execution; and therefore we have too great a Regard for our Country to lay it aside. It has been often mentioned in this House, and sufficient Documents to prove it have been laid on the Table, that Mr. PENN, the first Proprietor, conscious that the Powers of Government could not be always retained in his Family, actually made a Contract with the Crown to resign them for a Sum of Money, of which he received Part. That this Contract still subsists in full Force.—That by this Contract the equitable Right is beyond Controversy in the Crown.—And that his Majesty may readily obtain the legal Right, upon paying the Residue of the Money, by a Suit in Chancery, should the present Proprietaries have the Presumption, in so plain a Case, to enter into a Contest with the King about it. Besides, Sir, I have seen the Opinion of some very great Men, his Majesty's Servants, and often near his Person, that the Power of Government

is an Interest that cannot be transferred or aliened.—If this Opinion be a good one, as I am clear it is, the Right of Government cannot be in our present Proprietaries, but in the elder Branch of their Family.—And further, it is certain that the Proprietaries stand indebted to the Crown for one Moiety of the Rents, Issues, and Profits of the three lower Counties, ordinary and extraordinary, ever since the Year 1682, which, upon a moderate Calculation, must amount to fifty thousand Pounds Sterling, clear of all Expences and Deductions. Under these Circumstances will it not be the highest Presumption in the Proprietaries to oppose the Royal Resumption of the Nomination of the Governor of this Province?—These are the Weapons which I am confident will be used for the Restoration of our Liberties, and for saving his Majesty's faithful Subjects in this Province from that Thralldom and Bondage which Proprietary Instructions and private Interest have imposed upon them.

With great Propriety a Political Body has often been compared to a human Constitution. Let us suppose then that a human Constitution is attacked by a violent Disease, the Effect whereof has nearly destroyed the Powers of Life and vital Motion, and Nature is no longer capable of struggling for Relief,—is not this the Time to apply the Remedy? And would any but a Quack wait in hopes of some lucky Crisis until the Disorder grew too powerful for Nature and Medicine? The Powers of Legislature truly resemble the Soul, which animates and directs the Conduct and Behaviour of the political Institution. An upright Administration of Justice resembles the active Blood, which by its pure and uninterrupted Course preserves and supports its Health and Vigour. In these two vital Parts, with many others, the Fe-

ver of Ambition and arbitrary Power is and has been continually raging with unremitting Violence. The Powers of Legislation are so checked and controuled, that they are almost annihilated.—The Courts of Judicature are so dependent on Proprietary Influence, that wherever Proprietary Interest is in question, the Stream of Justice becomes so turbid and thick, that it can no longer discharge its Duty. Security of Life and Estate is become an empty Name, and the Spirit of Liberty distressed and worn out by ineffectual Efforts for her Preservation, is verging fast to a Dissolution. Nothing but a Royal Medicine expeditiously administered can possibly revive and restore her. And if such a Medicine can be obtained, shall we not even attempt to obtain it before the Midnight Gloom approaches, and fatal Death puts an End to our Struggles? This, Sir, is not an Aggravation of our Circumstances; it is the true and unfortunate State of *Pennsylvania*.

F I N I S.